ಧರ್ಮ

ಶ್ರೀ ಗಣೇಶಾಯ ನಮಃ.

ಭಾದ್ರಪದ ಶು. ಚೌತಿ ಸ್ಯಮಂತಕೋಪಾಖ್ಯಾನವು.

KARNATAKA NEWSPAPERS EXHIBITION

ಇದು ಭೂಲೋಕನ ಹುಟ್ಟಿದ ಜನಗಳು ಚಂದ್ರನ್ನ ನೋಡಬಾರ
ದೆಂಬುವದುಂಟಲ್ಲ, ನೋಡಿದರೂ ಬರುವ ಅಪವಾದವಂ ಪರಿಹರಿಸುವದು.

ಆದದರಿಂದ ಸರ್ವ ಜನರಿಗೂ ಆವಶ್ಯಕವಾಗಿರುವ ಈ ಗ್ರಂಥವು.

ಅತ್ತಿನೂರಿನ — ವೆಂಕಟಸುಬ್ಬಯ್ಯನವರಿಂದ ಶೋಧಿಸಲ್ಪಟ್ಟು

ಪ್ರಕಟಿಸಲ್ಪಟ್ಟದ್ದು.

ಮೊದಲನೇ ಛಾಪಿ, ಪ್ರತಿ ೧೦೦೦.

ಬೆಂಗಳೂರು.

ಮೈಸೂರ್ ಬುಕ್ ಡಿಪೋ, ಮುದ್ರಾಕ್ಷರಶಾಲೆಯ ಪ್ರೊಪ್ರೈಟರ್,
ಪಿ. ಬಿ. ಸುಬ್ಬಯ್ಯನವರಿಂದ ಛಾಪಾ ಮಾಡಲ್ಪಟ್ಟಿತು.

1873.

Registered Copy-right.

ಶ್ರೀ ಗಣೇಶಾಯನಮಃ.

ಕನ್ನಡ ಟೀಕಾ ಸಹಿತ ಸ್ಯಮಂತಕೋಪಾಖ್ಯಾನವು.

ಇದು ಗಣೇಶನ ಹಬ್ಬದ್ದಿನ ಜನಗಳು ಚಂದ್ರನ್ನು ನೋಡಬಾರ
ದೆಂಬುವದುಂಟಲ್ಲ; ನೋಡಿದರೂ ಬರುವ ಅಪವಾದವಂ ಪರಿಹರಿಸುವದು.

ಆದದರಿಂದ ಸರ್ವ ಜನಕ್ಕೂ ಆವಶ್ಯಕವಾಗಿರುವ ಈ ಗ್ರಂಥವು.

ಅತ್ತಿನೂರು-ವೆಂಕಟಸುಬ್ಬಯ್ಯನವರಿಂದ ಟೀಕಿಸಲ್ಪಟ್ಟು,
ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುತ್ತೆ.

ಮೊದಲನೇ ಛಾಪಿ, ಪ್ರತಿ ೧೦೦೦.

ಬೆಂಗಳೂರು.

ಮೈಸೂರ್ ಬುಕ್ ಡಿಪೋ ಮುದ್ರಾಕ್ಷರಶಾಲೆಯ ಪ್ರೊಪ್ರೈಟರ್,
ವಿ. ಬಿ. ಸುಬ್ಬಯ್ಯನವರಿಂದ ಛಾಪಾ ಮಾಡಲ್ಪಟ್ಟಿತು.

1873.

Registered Copy-right.

[illegible]

[illegible]

[illegible]

[illegible] ॥ [illegible]

[illegible]

ಅಥ ಸ್ಯಮಂತಕೋಪಾಖ್ಯಾನಂ.

ಶ್ಲೋ॥ ೧—॥ ॥ನಂದಿಕೇಶ್ವರ ಉವಾಚ॥ ಶೃಣುಷ್ವೈಕಾಗ್ರಚಿತ್ತಸ್ಸನ್ ವ್ರತಂ ಗಣೇಶ್ವರಂ ಮಹತ್ । ಚತುರ್ಥ್ಯಾಂ ಶುಕ್ಲಪಕ್ಷೇ ತು ಸದಾ ಕಾರ್ಯಂ ಪ್ರಯತ್ನತಃ । ಸನತ್ಕುಮಾರ ಯೋಗೀಂದ್ರ ಯದೀಚ್ಛೇಚ್ಛುಭಮಾತ್ಮನಃ ॥ ನಾರೀ ವಾ ಪುರುಷೋ ವಾಪಿ ಯಃ ಕುರ್ಯಾದ್ವಿಧಿವದ್ವ್ರತಂ । ಮೋಚಯತ್ಯಾಶು ವಿಪ್ರೇಂದ್ರ ಸಂಕಷ್ಟಾದ್ದುರತಿನಂ ಮತಂ । ಅಪವಾದಹರಂ ಚೈವ ಸರ್ವವಿಘ್ನಪ್ರಣಾಶನಂ । ಕಾಂತಾರೇ ವಿಷಮೇ ವಾಪಿ ರಣೇ ರಾಜಕುಲೇ ತಥಾ । ಸರ್ವಸಿದ್ಧಿಕರಂ ವಿದ್ಧಿ ವ್ರತಾನಾಮುತ್ತಮಂ ವ್ರತಂ । ಗಜಾನನಪ್ರಿಯಂ ಚಾಥ ತ್ರಿಷು ಲೋಕೇಷು ವಿ

ಸನತ್ಕುಮಾರ ಕೇಳಲು; ನಂದಿಕೇಶ್ವರಸ್ವಾಮಿ ಇಂತೆಂದನು,—ಎಲೈ, ಸನತ್ಕುಮಾರ ಯೋಗೀಂದ್ರನೇ ಕೇಳು—ಮಹಾಶ್ರೇಷ್ಠವಾದ ಗಣೇಶವ್ರತವನ್ನ ಏಕಾಗ್ರ ಚಿತ್ತನಾಗಿ ತನಿಗೆ ಶುಭವಂ ಅಪೇಕ್ಷಿಸುವನಾದರೆ, ನಿರಂತರದಲ್ಲಿಯೂ ಶುಕ್ಲ ಪಕ್ಷ ಚತುರ್ಥಿಯಲ್ಲಿ ಪ್ರಯತ್ನಪೂರ್ವಕವಾಗಿ ಮಾಡತಕ್ಕದ್ದು. ಸ್ತ್ರೀಯಾಗಲೀ ಪುರುಷನಾಗಲೀ ಯಾವ ಮನುಷ್ಯನು ವಿಧಿಯಿಂದ ವ್ರತವಂ ಮಾಡುವನೋ ಅವನಂ ಅನುಭವಿಸಲಾರದ ಕಷ್ಟಗಳೆಲ್ಲಾ ಬಿಟ್ಟು ಹೋಗುವವು.

ಮತ್ತೂ ಈ ವ್ರತವು ಅಪವಾದವನ್ನೂ ಸರ್ವ ವಿಘ್ನಗಳನ್ನೂ ಅರಣ್ಯದಲ್ಲಿ ಆಗಲಿ, ದುರ್ಗಮವಾದ ಯುದ್ಧ ಕಾಲದಲ್ಲಿ ಆಗಲಿ, ರಾಜ ಸಭೆಯಲ್ಲಿ ಆಗಲಿ, ಉಂಟಾಗುವ ಕಷ್ಟಗಳಂ ನಿವಾರಿಸುವದು. ಮೂರು ಲೋಕದಲ್ಲಿಯೂ ಗಣೇಶನಿಗೆ ಪ್ರಿಯಕರವಾದದ್ದೆಂದು, ಪ್ರಸಿದ್ಧವಾದ ವ್ರತಗಳಲ್ಲಿ ಅತ್ಯುತ್ತಮವಾದ ಈ ವ್ರತವನ್ನು ಸರ್ವ ಕಾರ್ಯ ಸಿದ್ಧಿಯಂ ಉಂಟು ಮಾ

ನಮಸ್ತೇಚಂದ್ರರೂಪಿಣೇ । ವೇದತ್ರಯಾಯನಮಸ್ತೇಸ್ತುಸರ್ವದೇವನಮೋಸ್ತುತೇ। ಪ್ರಸೀ
ದಪಾಹಿದೇವೇಶಸೂರ್ಯಸ್ತ್ವಂಹಿದಿವಾಕರ । ಇತ್ಥಂಸಂಸ್ತೂಯಮಾನೋಸೌದೇವ
ದೇವೋದಿವಾಕರಃ । ಸ್ನಿಗ್ಧಂಗಂಭೀರಮಧುರಂಸತ್ರಾಜಿತಮುವಾಚಹ ॥ ಸೂರ್ಯಃ ॥
ವರಂಬ್ರೂಹಿಪ್ರದಾಸ್ಯಾಮಿಯತ್ತೇಮನಸಿವರ್ತತೇ । ಸತ್ರಾಜಿತಮಹಾಭಾಗತು
ಷ್ಟೋಹಂತವನಿಶ್ಚಯಾತ್ ॥ಸತ್ರಾಜಿತಃ ॥ ಸ್ಯಮಂತಕಮಣಿಂದೇಹಿಯದಿತುಷ್ಟೋಸಿ
ಭಾಸ್ಕರ । ದದೌತಸ್ಯಚತದ್ರತ್ನಂಸ್ವಕಂಠಾದವತಾರ್ಯ್ಯಸಃ ॥ಭಾಸ್ಕರಃ॥
ಭಾರಾಷ್ಟಕಂಶಾತಕುಂಭಂಸ್ರವತೇಸಾಮಹಾಮಣಿಃ । ಶುಚಿಷ್ಮತಾಸದಾಧಾ
ರ್ಯ್ಯಂರತ್ನಮೇತನ್ಮಹೋತ್ತಮಂ । ಸತ್ರಾಜಿತಶ್ಚಗೇಹೇಸ್ವೇತದಶುಚಿಂಹಂತಿಮಾನ
ವಂ । ಇತ್ಯುಕ್ತ್ವಾಂತರ್ದಧೇದೇವಸ್ತೇಜೋರಾಶಿರ್ದಿವಾಕರಃ। ತತ್ಕಂಠರತ್ನಜ್ವ

ತ್ರಾಜಿತ್ತು, ಪ್ರಸೇನನೆಂದು ಇಬ್ಬರು ಮಕ್ಕಳು ಇದ್ದರು. ಸತ್ರಾಜಿತ್ತು ಎಂಬವನು ಸಮುದ್ರತೀರದಲ್ಲಿ ಏಕ ಚಿತ್ತದಿಂದ ಸೂರ್ಯನಂ ಕುರಿತು, ಉಗ್ರವಾದ ತಪವಂ ಮಾಡಿ ನಿರಶನ ವ್ರತವಂ ಮಾಡಿ, ಸೂರ್ಯನಲ್ಲಿ ದೃಷ್ಟಿಯಂ ನಿಲ್ಲಿಸಿ ತಪವಂ ಮಾಡಲು: ಸೂರ್ಯನು ಪ್ರಸನ್ನನಾಗಿ ಎದುರಾಗಿ ನಿಲ್ಲಲು; ಸತ್ರಾಜಿತ್ತು ಸೂರ್ಯನಂ ಕಂಡು ಸ್ತೋತ್ರವಂ ಮಾಡಿದನು. ತೇಜೋರಾಶಿಯೇ, ಸರ್ವತೋಮುಖನೇ, ವಿಶ್ವವ್ಯಾಪಿಯೇ, ಹರಿದಶ್ವನೇ, ಗ್ರಹರಾಜನೇ, ಚಂದ್ರನ ಕಾಂತಿಯುಳ್ಳವನೇ ವೇದಸ್ವರೂಪನೇ, ಸರ್ವದೇವಮಯನೇ, ನಿನಗೆ ನಮಸ್ಕಾರ ಮಾಡುವೆನು, ದೇವೇಶನೇ ನನ್ನ ನೋಡಿ ಪ್ರಸನ್ನನಾಗು ಎಂದು ಸ್ತುತಿಸಲ್ಪಟ್ಟವನಾಗಿ, ಸೂರ್ಯನು ಮನೋಹರವಾಗಿ, ಗಂಭೀರವಾಗಿ, ಮಧುರವಾಗಿ, ಸತ್ರಾಜಿತನಂ ಇಂತೆಂದನು,—ಎಲೈ ಸತ್ರಾಜಿತ್ತನೇ, ನಿನ್ನ ನಿಶ್ಚಯದಿಂದ ಪ್ರಸನ್ನನಾದೆನು, ನಿನ್ನ ಮನದೊಳಿರುವ ವರವಂ ಕೇಳು, ಕೊಡುವೆನೆನ್ನಲು; ಸತ್ರಾಜಿತ್ತು ಇಂತೆಂದನು,—ಎಲೈ ಭಾಸ್ಕರನೇ, ನನಗೆ ನೀ

ಲಮಾಕ್ಷರೂಪೀಪುರೀಂಸತ್ಕೃಷ್ಣಸ್ಯವಿವೇಶಸತ್ವರಂ । ದೃಷ್ಟ್ವಾತುಲೋಕಾಮನ
ಸೌದಿವಾಕರಂಸಂಚಿಂತಯಂಕೋಪ್ಯಮಿತಸ್ವದೃಷ್ಟಯಃ । ಸಮಾಗತೋಯಂ
ಹರಿದರ್ಶನಾರ್ಥೀತಿಜನಾರ್ದನಂದ್ರಷ್ಟುಮಸಂಶಯೇನ । ನಾಯಂಸಹಸ್ರಾಂಶುರಿ
ತೀಹಲೋಕಾಃ ಸತ್ರಾಜಿತೋಯಂಮಣಿಕಂಠಶೋಭಾಸ್ವಾ । ಸ್ಯಮಂತಕಂಮ
ಹಾರತ್ನಂಪೃಷ್ಟ್ವಾತತ್ಕ್ರಾಂತಮಂಡಲೀ । ಸ್ಪೃಹಾಂಚಕ್ರೇಜಗನ್ನಾಥೋನಜ
ಹಾರಮಣಿಂತತಃ । ಸತ್ರಾಜಿತೋಜಾತಶಂಕೋಯಾಚಯಿಷ್ಯತಿಮಾಂಹರಿಃ ।
ಪ್ರಸೇನಾಯದದೌಭ್ರಾತ್ರೇ ಧಾರ್ಯೋಯಂಶುಚಿನಾತ್ವಯಾ । ಏಕದಾತಂತ

ನು ಪ್ರಸನ್ನನಾದರೆ, ಸ್ಯಮಂತಕಮಣಿಯನ್ನು ಕೊಡು, ಎನ್ನಲು; ಸೂರ್ಯನು ತನ್ನ ಕೊರಳಿನಿಂದ ತೆಗೆದು ಆ ರತ್ನವಂ ಕೊಟ್ಟು, ಅದರ ಮಹಿಮೆಯಂ ಪೇಳಿದನು. ಈ ಮಹಾರತ್ನವು ಪ್ರತಿ ದಿನದಲ್ಲಿಯೂ ಎಂಟು ಭಾರ ತೂಕ ಹದಿನಾರು ಬಣ್ಣದ ಭಂಗಾರವಂ ಸುರಿಸುವದು. ಈ ಉತ್ತಮ ಮಣಿಯನ್ನು ವಿಶೇಷ ಪರಿಶುದ್ಧನಾಗಿ ಧರಿಸಬೇಕು. ಯಲೈ, ಸತ್ರಾಜಿತ್ತನೇ, ಅಶುಚಿಯಾದರೆ ಧರಿಸಿದವನಂ ಕೊಲ್ಲುವದು ಎಂದು; ಹೇಳಿ ಅಂತರ್ಧಾನವಾದನು. ಆ ಸತ್ರಾಜಿತ್ತನು ಆ ಕಂಠ ರತ್ನದಿಂದ ಪ್ರಕಾಶಿಸುತ್ತಿರುವ ರೂಪವುಳ್ಳವನಾಗಿ ಕೃಷ್ಣಸ್ವಾಮಿಯ ಪಟ್ಟಣವಂ ಪ್ರವೇಶಿಸಿದನು. ಜನಗಳು ಇವನಂ ಕಂಡು ಮನದೊಳ್ ಸೂರ್ಯನೆಂದು ನೆನಸಿ ಕಣ್ಣು ಮುಚ್ಚುವರಾಗಿ ಕೃಷ್ಣಸ್ವಾಮಿಯನ್ನು ನೋಡುವದಕ್ಕೆ ಸೂರ್ಯನೇ ಬಂದನೆಂದು ಅಸಂಶಯವೆಂದು ನುಡಿದು—ಇವನು ಸೂರ್ಯನಲ್ಲ, ಕಂಠ ರತ್ನದಿಂದ ಪ್ರಕಾಶಿಸುವ ಸತ್ರಾಜಿತ್ತನೆಂದರು.

ಆ ಸತ್ರಾಜಿತ್ತನ ಕಂಠದಲ್ಲಿ ಸ್ಯಮಂತಕವೆಂಬ ರತ್ನವಂ ನೋಡಿ ಜಗನ್ನಾಯಕನಾದ ಕೃಷ್ಣಸ್ವಾಮಿಯು, ಆ ರತ್ನವಂ ಅಪೇಕ್ಷಿಸಿದನು. ಆದರನ್ನೆ ಅಪಹರಿಸಲಿಲ್ಲ, ಈ ರತ್ನವನ್ನು ಕೃ

ಶಿಶೆಸೋಽಪಿಸ್ತ್ವಾಕಂಮಣಿಮುತ್ತಮಂ । ಮೃಗಯಾಕ್ರೀಡನಾರ್ಥಾಯಯಯೌಕೃಷ್ಣೇನಸಂಯುತಃ । ಅಶ್ವಾರೂಢೋಽಶುಚಿಸ್ತಾಸೌ ಹತಸ್ಸಿಂಹೇನತತ್ಕ್ಷಣಾತ್ । ರತ್ನಮಾದಾಯಸಿಂಹೋಽಪಿಗಚ್ಛನ್ ಜಾಂಬವತಾಹತಃ । ನೀತ್ವಾಸವಿವರೇರತ್ನಂದದೌಪುತ್ರಾಯಜಾಂಬವಾನ್ । ಪುರೀಂವಿವೇಶಕೃಷ್ಣೋಽಪಿಸ್ವಕೈಸ್ಸರ್ವೈಸ್ಸಮಾವೃತಃ । ಪ್ರಸೇನೋದ್ಯಾಪಿನಾಯಾತಿಹತಃಕೃಷ್ಣೇನನಿಶ್ಚಿತಂ । ಮಣಿಲೋಭೇನಹಾಕಷ್ಟಂಬಾಂಧವಃಪಾಪಿನಾಹತಃ । ದ್ವಾರಕಾವಾಸಿನಸ್ಸರ್ವೇಜನಾಊಚುಃಪರಸ್ಪರಂ । ವೃಥಾಪವಾದಸಂತಪ್ತಃಕೃಷ್ಣೋಽಪಿನಿರಗಾಚ್ಛನೈಃ । ಸಹೈವಸೈನ್ಯೈರರಣ್ಯೇದೃಷ್ಟ್ವಾಸಿಂಹೇನಪಾತಿತಂ । ಪ್ರಸೇನಂವಾಹನಯು

ಷ್ಣಸ್ವಾಮಿ ನನ್ನ ಕೇಳುವನು ಎಂಬ ಭಯದಿಂದ ಸತ್ರಾಜಿತ್ತು ತನ್ನ ತಮ್ಮನಾದ ಪ್ರಸೇನನಿಗೆ ಕೊಟ್ಟು ನೀನು ಬಹು ಶುಚಿರ್ಭೂತನಾಗಿ ಧರಿಸಬೇಕೆಂದು ಹೇಳಿದನು. ಒಂದಾನೊಂದು ದಿನದಲ್ಲಿ ಆ ರತ್ನವಂ ಕಂಠದಲ್ಲಿ ಧರಿಸಿಕೊಂಡು ಶ್ರೀಕೃಷ್ಣಸ್ವಾಮಿಯೊಡನೆ ಬ್ಯಾಟೆಗೆ ಪೋದನು. ಈ ಪ್ರಸೇನ ಅಶ್ವಾರೋಢನಾದ್ದರಿಂದ ಅಶುಚಿಯಾದನು. ಆ ಕ್ಷಣದಲ್ಲಿಯೆ ಸಿಹ್ಮವು ಪ್ರಸೇನನಂ ಕೊಂದು ಹಾಕಿತು. ಆ ರತ್ನವನ್ನ ಗ್ರಹಿಸಿ ಹೋಗುತ್ತಿರುವ ಸಿಹ್ಮವು ಜಾಂಬವಂತನಿಂದ ಕೊಲ್ಲಲ್ಪಟ್ಟಿತು. ಆ ಜಾಂಬವಂತನು ರತ್ನವಂ ಕೊಂಡು ಹೋಗಿ, ಗುಹೆಯಲ್ಲಿರುವ ಮಗನಿಗಿತ್ತನು, ಬ್ಯಾಟೆಗೆ ಹೋಗಿದ್ದ ಪರಿವಾರ ಜನರೊಡನೆ ಕೃಷ್ಣಸ್ವಾಮಿ ಪೂರಿಗೆ ಬಂದನು. ಪ್ರಸೇನನು ಎಷ್ಟು ಹೊತ್ತಿಗೂ ಬರಲಿಲ್ಲವು, ಜನಗಳೆಲ್ಲಾ ಅಯ್ಯೊ, ಪಾಪಿಯಾದ ಕೃಷ್ಣನು ರತ್ನದ ಆಶೆಯಿಂದ ಬಂಧುವಾದ ಪ್ರಸೇನನಂ ಸಂಹರಿಸಿದನೆಂದು ದ್ವಾರಕಾ ಪಟ್ಟಣವಾಸಿಗಳಾದ ಜನಗಳೆಲ್ಲಾ ಒಬ್ಬರಿಗೊಬ್ಬರು ನುಡಿಯುತ್ತ ಬಂದರು. ಶ್ರೀಕೃಷ್ಣಸ್ವಾಮಿ ವ್ಯರ್ಥವಾದ ಅಪವಾದದಿಂದ ಸಂತಪ್ತನಾಗಿ ಮೆ

ತಂತತ್ವಾದಾಯ ಕೃಷ್ಣೋಽಪಿ ಪರಂ। ಋಕ್ಷೇಣಾಂನಿಹತಂ ದೃಷ್ಟ್ವಾ ಪೃಷ್ಟ್ವಾ ಕ್ಷೇಷ್ಟಾಬಿ
ಲಂಗತಃ । ವಿವೇಶಯೋಜನಶತಮಂಧಕಾರಂಸ್ವತೇಜಸಾ । ನಿವಾರಯಂದದ
ರ್ಶಾಗ್ರೇಪ್ರಾಸಾದಂ ಬದ್ಧಭೂಮಿಕಂ । ತಂಕುಮಾರಂ ಜಾಂಬವತೋಡೋಲಾ
ಯಾಮಪಿತದ್ದ್ವಾರಿಂ । ಮೂರ್ಧ್ನಿರ್ಸ್ಯಂಲಂಬಮಾನಂಚ ದದರ್ಶಾಶಗನಾಕಾ ಹರಿಃ ।
ರೂಪಯೌವನಸಂಪನ್ನಾಂ ಕನ್ಯಾಂಜಾಂಬವತೀಂಪುನಃ । ದೋಲಾಂದೋಲ
ಯಮಾನಾಂಚ ದದರ್ಶ ಕಮಲೇಕ್ಷಣಃ । ಮಹಾಂತಂವಿಸ್ಮಯಂಚ ಕ್ರೇದೃ
ಷ್ಟ್ವಾತಾಂ ಚಾರುಹಾಸಿನೀಂ । ದೋಲಾಂದೋಲಯಮಾನಾಂಚ ಜಗೌಗೀತ
ಮಿದಂಮುಹುಃ । ಸಿಂಹಃಪ್ರಸೇನಮವಧೀತ್ಸಿಂಹೋಜಾಂಬವತಾಹತಃ । ಸುಕು
ಮಾರಕಮಾರೋದೀಸ್ತವಹ್ಯೇಷಸ್ಯಮಂತಕಃ । ಮದನಜ್ವರದಾಹಾರ್ತಾದೃ

ಲ್ಲನೆ ಎಲ್ಲಿ ಸಿಂಹವು ಪ್ರಸೇನನಂ ಕೊಲ್ಲಿತ್ತೋ ಅಲ್ಲಿಗೆ ಕಾಲು ಹೆಜ್ಜೆಗಳಂ ಅನುಸರಿಸಿ ಬರುವ ಅಪವಾದ ನುಡಿದ ಜನಗಳೊಡನೆ, ಹೋಗಿ ಕುದುರೆಯುಂ ಕೂಡ ಕೊಂದಿರುವ ಪ್ರಸೇನನಂ ತೋರಿಸಿ, ಜಾಂಬವಂತನಿಂದ ಕೊಲ್ಲಲ್ಪಟ್ಟ ಸಿಂಹವಂ ತೋರಿಸಿ ಕೃಷ್ಣಸ್ವಾಮಿಯು ಗುಹೆಯಂ ಹೊಕ್ಕು, ನೂರುಗಾವುದ ಕತ್ತಲು ಗವಿಯನ್ನ ತನ್ನ ತೇಜಸ್ಸಿನ ಬೆಳಕಿನಿಂದ ಧ್ವಂಸಿ ಮುಂದಗಡೆ ಒಂದು ಉಪ್ಪರಿಗೆಯುಂ ಕಂಡನು. ಆ ಸ್ಯಮಂತಕ ರತ್ನ ಕಾಂತಿ ಯುಕ್ತವಾದ ತೊಟ್ಟಿಲ್ಲಿರುವ ಜಾಂಬವಂತನ ಕುಮಾರನಂ ಕಂಡನು. ಜೋಲಾಡುತಿಹ ರತ್ನವಂ ಕಂಡನು. ಭಗವಂತನಾದ ಶ್ರೀಹರಿಯು ರೂಪ ಯವ್ವನ ಸಂಪನ್ನಳಾದ ತೊಟ್ಟಿಲಂ ತೂಗುತ್ತಿರುವ ಪ್ರೌಢೆಯಾದ ಜಾಂಬವತಿ ಎಂಬ ಕನ್ಯಕೆಯುಂ ನೋಡಿ ಕಮಲನೇತ್ರನಾದ ಕೃಷ್ಣ ಮನಸ್ಸನ್ನ ಪರಿಪಬಿಸುವ ಮುಗುಳುನಗೆಯುಳ್ಳ ಆ ಕನ್ನಿಕೆಯುಂ ಕಂಡು ಮಹಾ ಆಶ್ಚರ್ಯಪಟ್ಟನು. ತೊಟ್ಟಿಲಂ ತೂಗುತ್ತಿರುವ ಕನ್ನಿಕೆಯುಂ ನೋಡಿ, ಬಾರಿ ಬಾರಿಗೂ ಒಂದು ಗೀತವಂ

ಷ್ಟ್ವಾತಂ ಕಮಲೇಕ್ಷಣಂ । ಉವಾಚ ಲಲಿತಂ ಬಾಲಾ ಗಮ್ಯತಾಂ ಗಮ್ಯತಾಮಿತಿ । ರತ್ನಂ ಗೃಹೀತ್ವಾ ವೇಗೇನ ಯಾವತ್ತಿಷ್ಠತಿ ಜಾಂಬವಾನ್ । ಇತ್ಯಾಕರ್ಣ್ಯ ಹಸನ್ ಶೌರಿಃ ಶಂಖಂ ದಧ್ಮೌ ಪ್ರತಾಪವಾನ್ । ಆಕರ್ಣ್ಯ ಸಹಸೋತ್ಥಾಯ ಯುಯುಧೇ ಋಕ್ಷರಾಟ್ ತತಃ । ತಯೋರ್ಯುದ್ಧಮಭೂದ್ಘೋರಂ ಹರಿಜಾಂಬವತೋಸ್ತದಾ । ದ್ವಾರಕಾವಾಸಿನಸ್ಸರ್ವೇ ಗತಾಸ್ತೇ ಸಪ್ತಮೇ ದಿನೇ । ಮೃತಃ ಕೃಷ್ಣೋ ನಿರೀಕ್ಷಂತೋ ನಿಸ್ಸಂದಿಗ್ಧಂ ವಿಚಾರ್ಯ ಚ । ಪರಲೋಕಕ್ರಿಯಾಂ ಚಕ್ರುಃ ಪರಿತಸ್ಯ ಋತೇ ತದಾ । ಏಕವಿಂಶದ್ದಿನಂ ಯಾವದ್ಬಾಹುಪ್ರಹರಣೋ ವಿಭುಃ । ಯುಯುಧೇ ತೇನ ಋಕ್ಷೇಣ ಯುದ್ಧಕರ್ಮಣಿ ಕೋವಿದಃ । ಜಾಂಬವಾನ್ ಪ್ರಾಪ್ತಸಂಸ್ಮೃತಿಸ್ತ್ವಧ್ಯ

ನುಡಿದನು. ‘ ॥ ಸಿಂಹಃ ಪ್ರಸೇನಮವಧೀತ್ಸಿಂಹೋ ಜಾಂಬವಂತಾಹತಃ ಸುಕುಮಾರಕಮಾರೋದೀಸ್ತವ ಹ್ಯೇಷಸ್ಯಮಂತಕಃ ॥ ಇದರ ಅರ್ಥ—ಸಿಂಹವು ಪ್ರಸೇನನಂ ಕೊಲ್ಲಿತು, ಆ ಸಿಂಹವನ್ನ ಜಾಂಬವಂತನು ಸಂಹರಿಸಿದನು. ಸುಕುಮಾರನೆ ಅಳಬ್ಯಾಡ, ನಿನಗೆ ಈ ರತ್ನವಾಯಿತಲ್ಲ ಎಂದನು. ಈ ಕಮಲನೇತ್ರನಾದ ಸ್ವಾಮಿಯಂ ಜಾಂಬವತಿ ನೋಡಿ ಮದನ ಪೀಡಿತಳಾಗಿ, ಎಲ್ಲೈ ಜಾಂಬವಂತನು ಮಲಗಿರುವಾಗಲೇ ಬ್ಯಾಗ ರತ್ನವಂ ಕೊಂಡು ಹೋಗೆನ್ನಲಾ ಮಾತನಂ ಕೇಳಿ, ಸ್ವಾಮಿ ನಕ್ಕು, ಪಾಂಚಜನ್ಯವಂ ಶಬ್ದ ಮಾಡಿದವನಾದನು. ಕಪಿರಾಯನಾದ ಜಾಂಬವಂತನು ಕೇಳಿ, ಶೀಘ್ರದಿಂದೆದ್ದು ಯುದ್ಧ ಮಾಡಿದನು. ಅವರಿಬ್ಬರಿಗೂ, ಅತ್ಯಂತ ಭಯಂಕರವಾದ ಯುದ್ಧ ವಾಯಿತು. ಅಲ್ಲಿ ಗುಹಾದ್ವಾರದೊಳಿರುವ, ದ್ವಾರಕಾ ಪುರವಾಸಿಗಳಾದ ಜನರೆಲ್ಲರೂ ಕೃಷ್ಣ ಗುಹಾ ಪ್ರವೇಶ ಮಾಡಿದ ಏಳನೇ ದಿನ ಹೊರಟು ಹೋದರು. ಕೃಷ್ಣನು ಮೃತನಾದನೆಂದು ನಿರೀಕ್ಷಿಸುತ್ತಾ, ನಿಸ್ಸಂದೇಹವಾಗಿ ಯೋಚಿಸಿ ಮೃತನಾದ ಕೃಷ್ಣಗೆ ಪರಲೋ

ಷ್ಟ್ವಾದೇವಬಲಂಮಹತ್ ॥ ಜಾಂಬವಾನುವಾಚ ॥ ಅಜೇಯೋಹಂಸುರೈಸ್ಸರ್ವೈ
ರ್ಯಕ್ಷರಾಕ್ಷಸದಾನವೈಃ । ತ್ವಯಾಜಿತೋಹಂದೇವೇಶ ದೇವಸ್ತ್ವಮಸಿನಿಶ್ಚಿತಂ ।
ಜಾನೇತ್ವಾಂನ್ವಿಷ್ಣುವಂತೇಜೋನಾನ್ಯಥಾಬಲಮೀದೃಶಂ । ಇತಿಪ್ರಸಾದ್ಯಗೋ
ವಿಂದಂ ದದೌಮಾಣಿಕ್ಯಮುತ್ತಮಂ । ಸುತಾಂಜಾಂಬವತೀಂನಾಮ ಶೌರ್ಯಾ
ರ್ಥಾಂವರವರ್ಣಿನೀಂ । ಪಾಣಿಂವೈಗ್ರಾಹಯಾಮಾಸದೇವದೇವಂಚಜಾಂಬ
ವಾನ್ । ಮಣಿಮಾದಾಯದೇವೋಪಿಜಾಂಬವತ್ಯಾಪಿಸಂಯುತಃ । ತದ್ವೃತ್ತಾಂ
ತಂಸಮಾಚಷ್ಟೇದ್ವಾರಕಾವಾಸಿನಾಂಸ್ವಯಂ । ಸತ್ರಾಜಿತಸ್ಯಮಾಣಿಕ್ಯಂ
ದತ್ತವಾನ್ ಸಂಸದಿಸ್ಥಿತಃ । ಮಿಥ್ಯಾಪವಾದಸಂಶುದ್ಧಿಂ ಪ್ರಾಪ್ತವಾನ್ ಮಧು
ಸೂದನಃ । ಸತ್ರಾಜಿತೋಪಿಸಂತ್ರಸ್ತಃಕೃಷ್ಣಾಯಪ್ರದದೌಸುತಾಂ । ಸತ್ಯಭಾ
ಮಾಂಮಹಾಬುದ್ಧಿರ್ದದೌಸರ್ವಗುಣಾನ್ವಿತಾಂ । ಶತಧನ್ವಾಕ್ರೂರಮುಖಾ

ತ ಕ್ರಿಯೆಗಳಂ ಮಾಡಿದರು. ಭುಜಗಳೆ ಆಯುಧಗಳಾಗುಳ್ಳ ಶ್ರೀ ಕೃಷ್ಣ ೨೮ ದಿನಪರ್ಯಂತ ಆ ಜಾಂಬವಂತನೊಡನೆ ಬಾಹು ಯುದ್ಧವಂ ಮಾಡಿದನು. ಕೃಷ್ಣನಿಂದ ಯುದ್ಧ ಕೃತ್ಯದಲ್ಲಿ ಸಂತೋಷಪಡಿಸಿದ ಜಾಂಬವಂತನು, ಪ್ರಾಕ್ ಮಾಡಿದ ತಪವಂ ಸ್ಮರಿಸಿ, ಮಹತ್ತರವಾದ ದೇವ ಬಲವಂ ನೋಡಿ ಜಾಂಬವಂತನಿಂತೆಂದನು. ಎಲೈ ದೇವೇಶನಾದವನೆ, ಸರ್ವ ದೇವತೆಗಳಿಂದಲೂ ಯಕ್ಷ ರಾಕ್ಷಸ ದಾನವರಿಂದಲೂ ಜಯಿಸಲ್ಪಡದವನು ನಿನ್ನಿಂದ ಜಯಿಸಲ್ಪಟ್ಟೆನು? ನೀನು ಭಗವಂತನು ನಿಶ್ಚಯ, ನಿನ್ನ ಸಾಕ್ಷಾದ್ವಿಷ್ಣು ತೇಜಸ್ಸೆಂದು ತಿಳಿದೆನು, ಅಲ್ಲದಿದ್ದರೆ ಇಂಥಾ ಬಲವಿರದು. ಇಂತೆಂದು ಕೃಷ್ಣನಂ ಪ್ರಸನ್ನನಂ ಮಾಡಿಕೊಂಡು, ಉತ್ತಮವಾದ ಸ್ಯಮಂತಕಮಣಿಯಂ ಸ್ವಾಮಿಗೆ ಜಾಂಬವಂತನಿತ್ತನು. ಉತ್ತಮಾಂಗನೆಯಾದ ಜಾಂಬವತಿ ಎಂಬ ಮಗಳಂ ಕೊಟ್ಟು, ಕೃಷ್ಣಸ್ವಾಮಿಗೆ ಮದುವೆಯಂ ಮಾಡಿದನು. ಭಗವಂತನಾದ ಕೃಷ್ಣಸ್ವಾಮಿ ರ

ಯಾದವಾದುಷ್ಟಮಾನಸಾಃ । ಸತ್ರಾಜಿತೇನ ತೇ ವೈರಂಚ ಕ್ರೂರತ್ನಾಭಿಲಾಷಿ
ಣಃ । ದುರಾತ್ಮಾ ಶತಧನ್ವಾಪಿಗತೇ ಕೃಷ್ಣೇಥ ಪಾಂಡವಾನ್ । ಸತ್ರಾಜಿತಂ ನಿಹ
ತ್ಯಾಶು ಮಣಿಂ ಜಗ್ರಾಹ ಪಾಪಧೀಃ । ಕೃಷ್ಣಸ್ಸ್ವಪುರತಸ್ಸತ್ಯಾಸಮಾಜಗ್ಮುಷಿಚೇ
ಷ್ಟಿತಂ । ಅಂತರ್ಹೃಷ್ಟೋ ಬಹಿಃ ಕೋಪೀ ಕೃಷ್ಣಃ ಕಪಟನಾಟಕಃ । ಬಲದೇವಪುರೋ
ವಾಕ್ಯಮುವಾಚ ಧರಣೀಧರಃ । ಹತ್ವಾ ಸತ್ರಾಜಿತಂ ದುಷ್ಟೋ ಮಣಿಮಾದಾಯ
ಗಚ್ಛತಿ । ನಿಹತ್ಯ ಶತಧನ್ವಾನಂ ಗೃಹೀತ್ವಾ ರತ್ನಮಾವಯೋಃ । ನಿತ್ಯಭೋಗ್ಯಂ
ಚ ತದ್ರತ್ನಂ ಕರಿಷ್ಯಾವೋ ದ್ವ್ಯನಿಶ್ಚಿತಂ । ಏತಚ್ಛ್ರುತ್ವಾ ಭಯತ್ರಸ್ತಃ ಶತಧನ್ವಾ
ಪಿಯಾದವಃ । ಅಕ್ರೂರಾಯಾಕ್ರೂರನಾಮಾನಂ ಮಾಣಿಕ್ಯಂ ಪ್ರದದೌ ಜಸಃ ।

ತ್ನವಂ ತೆಗದುಕೊಂಡು, ಜಾಂಬವತೀ ಸಮೇತನಾಗಿ ಬಂದು ಆ ವೃತ್ತಾಂತವನ್ನೆಲ್ಲಾ ದ್ವಾರಕಾ ವಾಸಿಗಳಾದ ಜನಗಳಿಗೆ ಹೇಳಿದನು. ಸ್ವಾಮಿ ಸಭೆಯಲ್ಲಿ ಇದ್ದವನಾಗಿ, ಸತ್ರಾಜಿತ್ತನಿಗೆ ಆ ಸ್ಯಮಂತಕವೆಂಬ ರತ್ನವಂ ಕೊಟ್ಟು ಸುಳ್ಳಾದ ಅಪವಾದವಂ ಪರಿಹರಿಸಿ ಕೊಂಡನು. ಮಹಾ ಬುದ್ಧಿಯುಳ್ಳ ಸತ್ರಾಜಿತ್ತು ಭಯ ಪಟ್ಟವನಾಗಿ, ಸದ್ಗುಣವತಿಯಾದ ಸತ್ಯಭಾಮೆ ಎಂಬ ಮಗಳಂ ಕೊಟ್ಟು, ಕೃಷ್ಣ ಸ್ವಾಮಿಗೆ ಮದುವೆಯಂ ಮಾಡಿದನು. ಆ ಸತ್ರಾಜಿತ್ತಿನೊಡನೆ ದಾಯಾದಿಗಳಾದ, ದುಷ್ಟ ಮನಸ್ಸುಳ್ಳವರಾದ, ಶತಧನ್ವ, ಅಕ್ರೂರ ಮೊದಲಾದವರು ಆ ರತ್ನಾಭಿಲಾಷಿಗಳಾಗಿ ವೈರವಂ ಮಾಡಿದರು. ಶ್ರೀ ಕೃಷ್ಣ ಪಾಂಡವರಿದ್ದೆಡೆಗೆ ಹೋಗಲು; ದುರಾತ್ಮನಾದ ಶತಧನ್ವನು ಪಾಪ ಬುದ್ಧಿಯುಳ್ಳವನಾಗಿ, ಶೀಘ್ರದಲ್ಲಿ ಸತ್ರಾಜಿತ್ತನಂ ಸಂಹರಿಸಿ, ರತ್ನವಂ ಅಪಹರಿಸಿದನು. ಈ ವೃತ್ತಾಂತವಂ ಸತ್ಯಭಾಮೆ ಕೃಷ್ಣಗೆ ಹೇಳಲು; ಮನದಲ್ಲಿ ಸಂತೋಷಿಸಿ ಕಪಟನಾಟಕನು ಮ್ಯಾಲೆ ಕೋಪಿಷ್ಟನಾಗಿ, ಧರಣೀಧರನು ಬಲದೇವನ ಎದುರಾಗಿ ಇಂತೆಂದನು,-ದು

ಆರುಹ್ಯಬಡಬಾಂ ಶೀಘ್ರಾಂ ನಿರ್ಗತೋದಕ್ಷಿಣಾಂ ದಿಶಂ । ರಥಸ್ಥಾವನುಗಚ್ಛೇತಾಂ ತದಾ ರಾಮಜನಾರ್ದನೌ । ಶತಯೋಜನಮಾತ್ರೇಣ ಮನುಸಾರಬಡಬಾ ತದಾ । ಪಲಾಯಮಾನೋನಿಹತಃ ಸಕೃಷ್ಣೇನ ಪದಾತಿನಾ । ರಥಸ್ಥೋ ಬಲದೇವಸ್ತು ಹರೇರತ್ನಸ್ಯಲೋಭತಃ । ಸದೃಷ್ಟಂ ಕಸ್ಯ ತದ್ರತ್ನಮಿತ್ಯೂಚೇ ಹರಿರಗ್ರಜಂ । ತದಾತತ್ರ ಮಹಾರೋಷಾದುವಾಚ ವಚನಂ ಬಲಃ । ಕಪಟೀ ತ್ವಂ ಸದಾ ಕೃಷ್ಣ ಲೋಭೀ ಪಾಪೀ ಸುನಿಶ್ಚಿತಂ । ಅರ್ಥಾಯ ಸ್ವಜನಂ ಹಂಸಿ ಕಸ್ತ್ವಾಂ ಬಂಧುಂ ಸಮಾಶ್ರಯೇತ್ । ಅನೇಕಶಪಥೈಃ ಕೃಷ್ಣೋ ಬಲದೇವಂ ಪ್ರಸಾದಯನ್ । ಸತು ಧಿಕ್ಕೃಷ್ಣಮಿತ್ಯುಕ್ತ್ವಾ ಯಯಾವ್ವೈದರ್ಭಮಂಡಲಂ । ಕೃಷ್ಣೋಪಿ ರಥಮಾರುಹ್ಯ ದ್ವಾರ

ಷ್ಟನಾದ ಶತಧನ್ವನು ಸತ್ರಾಜಿತ್ತನಂ ಸಂಹರಿಸಿ, ರತ್ನವಂ ತೆಗದುಕೊಂಡು ಹೋಗುತ್ತಿದ್ದಾನೆ, ನಾವು ಶತಧನ್ವನಂ ಸಂಹರಿಸಿ, ಆ ರತ್ನವಂ ಗ್ರಹಿಸಿ ನಮಗೀರ್ವರಿಗೂ ನಿತ್ಯ ಭೋಗ್ಯವಾಗಿ ಮಾಡುವೆವೆಂದು ನಿಶ್ಚಯಿಸಲ್ಪಟ್ಟತೆಂಬುದಂ ಕೇಳಿ, ಸುಧನ್ವನು ಭಯಪಟ್ಟು ಅಕ್ರೂರನ್ನ ಕರೆದು ಆ ರತ್ನವಂ ಕೊಟ್ಟನು. ಆ ಶತಧನ್ವನು ಕುದುರೆಯನ್ನೇರಿ ದಕ್ಷಿಣ ದಿಕ್ಕಿಗೆ ಓಡಿ ಹೋದನು. ರಾಮಕೃಷ್ಣರು ರಥಾರೂಢರಾಗಿ ಬೆನ್ನಟ್ಟಿ ಹೋದರು. ನೂರು ಯೋಜನ ದೂರದಲ್ಲಿ ಕುದುರೆ ಸತ್ತು ಹೋಯಿತು. ಕಾಲುಗಳಿಂದ ಓಡುವ ಶತಧನ್ವನಂ ಪಾದಚಾರಿಯಾದ ಕೃಷ್ಣನು ಸಂಹರಿಸಿದನು. ಬಲರಾಮನು ರಥದಲ್ಲಿಯೇ ಇದ್ದನು. ರತ್ನ ಲೋಭದಿಂದ ಶತಧನ್ವನಂ ಕೊಂದು, ಕೃಷ್ಣನು ಸಂತೋಷಯುಕ್ತನಾದವನಾಗಿ ಅಣ್ಣನಾದ ರಾಮನಂ ಕುರಿತು, ಆ ರತ್ನ ಯಾರಿಗೆಂದು ಕೇಳಿದನು. ಬಳಿಕ ಬಲರಾಮನು ಆ ಮಾತು ಕೇಳಿ, ಕೋಪದಿಂದಿಂತೆಂದನು,—ಎಲೈ ಕೃಷ್ಣನೇ, ಯಾವಾಗಲೂ ನೀನು ಕಪಟವುಳ್ಳವನು, ಲೋಭಿಯು, ಪಾಪಿಯು, ನಿಶ್ಚಯವಾಯಿತು. ಅರ್ಥ

ತ್ಕಾಂ ಪ್ರಯಯಾವಪುನಃ । ತತ್ಸ್ವಬಂಧುಜನಾಸ್ಸರ್ವೇ ನ ಸಾಧೀಯಾನಯಂ
ಹರಿಃ । ನಿಷ್ಕಾಸಿತೋ ರತ್ನಲೋಭಾತ್ ಜ್ಯೇಷ್ಠಭ್ರಾತಾ ಬಲೋ ಬಲೀ । ತಚ್ಛ್ರು
ತ್ವಾ ದೀನವದನಃ ಪಾಪೀಯಾನಿವ ಸಂಸ್ಥಿತಃ । ವೃಥಾಪಿ ತಾಪಂ ತತ್ಸಂತಪ್ತೋ ಬಭೂ
ವ ಜಗತ್ಪತಿಃ । ಅಕ್ರೂರೋಪಿ ವಿಸೃಜ್ಯಾಥ ತೀರ್ಥಯಾತ್ರಾನಿಮಿತ್ತತಃ ।
ಕಾಶೀಂ ಗತ್ವಾ ಸುವಿನಾಸಾ ಯಜ್ಞೈರ್ಯಜ್ಞಪತಿಂ ಪ್ರಭುಂ । ತೋಷಯುತ್ವಾಪದ
ಯಾಮಾಸ ತೇನ ದ್ರವ್ಯೇಣ ಬುದ್ಧಿಮಾನ್ । ಸುರಾಲಯಸ್ಯ ಶಿಲ್ಪಿಸ್ತ್ರೈರ್ನಗರಂ ಸ
ಮಕಲ್ಪಯತ್ । ನ ದುರ್ಭಿಕ್ಷಂ ನ ಸ್ವರೋಗಾ ಈತಯೋ ನ ಚ ವಿಡ್ವರಂ । ಕುಚಿ
ನ್ನಾಧಾರ್ಯತೇ ತತ್ರ ಮಣಿಸ್ಸೂರ್ಯಸ್ಯ ಸನ್ನಿಭಂ । ಜನಸಂಪಪಿಹಿತತ್ಸವರ್ಣಂ ಮಾನು
ಷಂ ತಾವ ಮಾತ್ರಿತಃ । ಲೋಕಾಚಾರಂ ತಥಾ ಮಾಯಾಮಜ್ಞಾನಂ ಚಾತ್ರಿತೋಯ

ಕ್ಕೋಸ್ಕರ ಸ್ವಜನರಂ ಕೊಲ್ಲುವಿ, ನಿನ್ನನ್ನು ಬಂಧುವೆಂದು ಯಾರು ಆಶ್ರೈಸುವರು ಅಂದನು. ಕೃಷ್ಣನು ಅನೇಕ ಶಪಥಗಳಿಂದ, ಪ್ರಮಾಣಗಳಿಂದ, ರಾಮನಂ ದಯುಪೃಕ್ಷವನು ಪ್ಯಾಗೋ ಹಾಗೆ ಮಾಡಿದರೂ, ಛೀ ಕಷ್ಟವೆಂದು ಬಲರಾಮನು ವಿದರ್ಭ ದೇಶಕ್ಕೆ ಹೋದನು. ಕೃಷ್ಣಸ್ವಾಮಿಯನ್ನು ರಥವನೇರಿ ದ್ವಾರಕಾಪುರಿಯಂ ಸೇರಿದನು. ಆಗಲೇ ಜನರೆಲ್ಲರೂ ಈ ಕೃಷ್ಣ ಯೋಗ್ಯನಲ್ಲವೆಂದು ಹೇಳಿದರು.

ಬಲಶಾಲಿಯಾದ, ಅಣ್ಣನಾದ ಬಲರಾಮನ್ನ ರತ್ನಲೋಭದಿಂದ ಹೊರಡಿಸಿದನು ಎಂಬ ಜನವಾಕ್ಯವಂ ಕೇಳಿ ಪಾಪಿಷ್ಠನ ಹಾಗೆ ದೀನವದನನಾಗಿ ಇದ್ದನು. ಆ ಜಗತ್ಪತಿಯಾದ ಕೃಷ್ಣನು, ನಿಷ್ಕಾರಣವಾಗಿ ಬಂದ ಅಪವಾದದಿಂದ ಅತ್ಯಂತ ಸಂತಾಪ ಪಡುತ್ತಿದ್ದನು, ಅಕ್ರೂರನು ಶತಧನ್ವನೆಂಬ ಅಣ್ಣ ಕೊಟ್ಟ ರತ್ನವಂ ಧರಿಸಿಕೊಂಡು ತೀರ್ಥಯಾತ್ರೆಗೆ ಹೋಗಿ ಕಾಶಿಯಂ ಪ್ರವೇಶಿಸಿ ಸುಖದಿಂದ ಜಗತ್ಪ್ರಭುವಾದ ಯಜ್ಞಪತಿಯಾದ ಭಗವಂತನಂ ಪೂಜಿಸುತ್ತಾ, ರತ್ನ ಕೊಡುತ್ತಿರು

థా । బంధువైరసముత్పన్నలాంఛనం సముపస్థితం । 'వృథాపవాదజదు
ఖంజాయమానం కథం హరేత్ ॥ ఇతిచింతాతురం కృష్ణం నారదస్సముప
స్థితః ॥ గృహే తేనార్చితస్తత్ర తాం పూజాం సుఖాసనగతోऽబ్రవీత్ ॥ నారద
ఉవాచ ॥ కిమర్థం ఖిద్యసే దేవ కిం వా తే శోకకారణం । యథావృ
త్తం సమాచక్ష్వ నారదాయ సకేశవః । జానామి కారణం దేవ యద
ర్థం లాంఛనం శివ । త్వయా భాద్రపదే శుక్లే చతుర్థ్యాం చంద్రదర్శ
నం । కృతం తేన సముత్పన్నం లాంఛనం తు వృథైవహి ॥ శ్రీకృష్ణ ఉవాచ ॥
వద నారద మే శీఘ్రం కో దోషశ్చంద్రదర్శనే । కిమర్థం తు ద్వితీ
యాయాం తస్య కుర్వంతి దర్శనం ॥ నారదః ॥ గణనాథేన సంశప్తం

వ, ద్రవ్యదింద అత్యంత సంతోష పడిసిదను. విచి
త్రవాద దేవాలయగళిందలూ గృహగళిందలూ యుక్త
వాద పట్టణవం కట్టిసిదను. ఆ అక్రూర శుచియింద
సూర్యదత్తవాద స్యమంతక మణియుం ధరిసువదరింద
దుర్భిక్ష రోగ అతి వృష్ట్యాది ఈతి బాధెగళు విడూ
ర్య ఇల్లదె సుఖదిందిద్దను, ఇత్తలా కృష్ణ మూర్తియు
అదు సర్వవూ తిళిదవనాదరూ, మానుష భావవం
ఆశ్రయిసి, లోకాచారవం మాయెయుం అజ్ఞానవం
ఆశ్రయిసిదహాగె బంధు ద్వేషదిం హుట్టిద తనిగె ప్రాప్త
వాద అపవాదవం ముందె బరువ అపవాదవం హ్యాగె
పరిహార మాడికొంబెనెంబు యోచిసుత్తిరువ, కృష్ణ
నిద్దెడెగె నారద మహర్షియు బందవనాగి, కృష్ణనింద
పూజిసల్పట్టు సుఖాసనదల్లి కుళితుకొండు ఇంతెంద
ను,—ఎల్లై, స్వామియే, ఏను కారణ వ్యసన బిళుత్తీ
నిన్న వ్యసనక్కె కారణవేనెన్నలూ, కృష్ణస్వామియు

ದ್ರಮಾ ರೂಪಗರ್ವಿತಃ । ತದ್ದರ್ಶನೇನ ರಾಜ್ಞಾಂ ಹಿ ವೃಥಾನಿಂದಾ ಭವಿಷ್ಯತಿ ॥ ॥ ಶ್ರೀಕೃಷ್ಣಃ ॥ ಕಿಮರ್ಥಂ ಗಣನಾಥೇನ ಶಪ್ತಶ್ಚಂದ್ರಸ್ಸುಧಾಮಯಃ । ಇದಮಾಖ್ಯಾನಕಂ ಶ್ರೇಷ್ಠಂ ಯಥಾವದ್ವಕ್ತುಮರ್ಹಸಿ ॥ ನಾರದ ಉವಾಚ ॥ ಗಣಾನಾಮಾಧಿಪತ್ಯೇ ಚ ರುದ್ರೇಣಾಭಿಹಿತಂ ಪುರಾ । ಅಣಿಮಾ ಮಹಿಮಾ ಚೈವ ಲಘಿಮಾ ಗರಿಮಾ ತಥಾ ॥ ಪ್ರಾಪ್ತಿಃ ಪ್ರಾಕಾಮ್ಯಮೀಶತ್ವಂ ವಶಿತ್ವಂ ಚಾಷ್ಟಸಿದ್ಧಯಃ । ತಾ ರಾಜ್ಯಾರ್ಥಂ ಪ್ರದದಾವಿಭೋಃ ಗಣೇಶಸ್ಯ ಪ್ರಜಾಪತಿಃ । ಪೂಜಯಿತ್ವಾ ಗಣಾಧ್ಯಕ್ಷಂ ಸ್ತುತಿಂ ಕರ್ತುಂ ಪ್ರಚಕ್ರಮೇ ॥ ಬ್ರಹ್ಮೋವಾಚ ॥ ಗಜವಕ್ತ್ರ ಗಣಾಧ್ಯಕ್ಷ ಲಂಬೋದರ ವರಪ್ರದ । ವಿಘ್ನಾಧಿರಾಜ ದೇವೇಶ ಸೃಷ್ಟಿಸಂಹಾರಕಾರಕ । ಸಂಪೂಜಯೇದ್ಗಣಾಧ್ಯಕ್ಷಂ ಮೋದಕಾದ್ಯೈಃ ಪ್ರಯತ್ನತಃ । ತೇಷಾಂ ಪ್ರಜಾಯ

ವೃತ್ತಾಂತವನ್ನೆಲ್ಲಾ ವಿವರಿಸಿ ಹೇಳಲು, ಕೇಳಿ ನಾರದ ಮಹರ್ಷಿ ಇಂತೆಂದನು,—ಸ್ವಾಮಿಯೇ! ನಿನಗೆ ವೃಥಾಪವಾದಕ್ಕೆ ಕಾರಣವಂ ತಿಳಿದೆನು. ನಿನ್ನಿಂದ ಭಾದ್ರಪದಶುದ್ಧ ಚವತಿಯಲ್ಲಿ ಚಂದ್ರ ದರ್ಶನ ಮಾಡಲ್ಪಟ್ಟಿದೆ, ಅದರಿಂದ ನಿನಗೆ ವೃಥಾಪವಾದ ಬಂತೆನ್ನಲೂ ಕೃಷ್ಣನು ಕೇಳಿದನು,—ಎಲೈ, ನಾರದ ಮಹಾಋಷಿಯೇ; ಚಂದ್ರ ದರ್ಶನದಲ್ಲಿ ಏನು ದೋಷವೋ, ಬಿದಿಗೆಯಲ್ಲಿ ಚಂದ್ರ ದರ್ಶನವಂ ಯಾತಕ್ಕೋಸ್ಕರ ಮಾಡುತ್ತಾರೆ ಶೀಘ್ರದಿಂ ಹೇಳೆನಲು, ನಾರದ ಋಷಿ ನುಡಿದನು,—ಚಂದ್ರನು ರೂಪಿನಿಂದ ಗರ್ವಿಷ್ಠನಾಗಿ ಗಣೇಶನಿಂದ ಶಪಿಸಲ್ಪಟ್ಟನು. ಅವನ ದರ್ಶನ ಮಾಡಿದವರಿಗೆ ವೃಥಾ, ನಿಂದೆ ಬರುವದೆನ್ನಲೂ, ಕೃಷ್ಣನು ಕೇಳಿದನು. ಅಮೃತ ರೂಪವುಳ್ಳ ಚಂದ್ರನು, ಏನು ಕಾರಣ ಗಣೇಶನಿಂದ ಶಪಿಸಲ್ಪಟ್ಟನು. ಶ್ರೇಷ್ಠವಾದ ಈ ಆಖ್ಯಾನವಂ ಯಥೋಕ್ತವಾಗಿ ಹೇಳಬೇಕೆನಲು; ನಾರದ ಋಷಿ ಇಂತೆಂದನು. ಪೂರ್ವದಲ್ಲಿ, ಈಶ್ವರನು ಗಣೇಶಗೆ ಪ್ರಮಥಗಣಂಗಳ ಆಧಿಪತ್ಯವನ್ನಿತ್ತನು, ಬ್ರ

ತೇಸಿದ್ಧಿರ್ನಿರ್ವಿಘ್ನೈರ್ನನಸಂಶಯಃ । ಅಸಂಪೂಜ್ಯಗಣಾಧ್ಯಕ್ಷಂಯೇವಾಂಛಂತಿಸುರಾಸುರಾಃ । ನತೇಷಾಂಜಾಯತೇಸಿದ್ಧಿಃ ಕಲ್ಪಕೋಟಿಶತೈರಪಿ । ತ್ವದ್ಭಕ್ತ್ಯಾತುಗಣಾಧ್ಯಕ್ಷ ವಿಷ್ಣುಃಪಾಲಯತೇಸದಾ । ರುದ್ರೋಪಿಸಂಹರತ್ಯಾಶುತ್ವದ್ಭಕ್ತ್ಯಾಪ್ರವಕರೋಮ್ಯಹಂ । ಇತ್ಥಂಸಂಸ್ತೂಯಮಾನೋಸೌದೇವದೇವೋಗಜಾನನಃ । ಉವಾಚಪರಮಪ್ರೀತೋಬ್ರಹ್ಮಾಣಂಜಗತಾಂಪತಿಃ ॥ ಶ್ರೀಗಣೇಶಉವಾಚ ॥ ವರಂಬ್ರೂಹಿಪ್ರದಾಸ್ಯಾಮಿ ಯತ್ತೇಮನಸಿವರ್ತತೇ ॥ ಬ್ರಹ್ಮಾ ॥ ಕ್ರಿಯಮಾಣಾಹಿಮೇಸೃಷ್ಟಿರ್ನಿರ್ವಿಘ್ನಂಜಾಯತಾಂಪ್ರಭೋ । ಏವಮಸ್ತ್ವಿತಿದೇವೋಸೌ ಗೃಹೀತ್ವಾಮೋದಕಾನ್‌ಕರೇ । ಸಪ್ತಲೋಕಾನ್ಸಮಾಗತ್ಯಸ್ವೇಚ್ಛಯಾಗಗನೇಶಸ್ಥಿಃ । ಚಂದ್ರಲೋಕಂಸಮಾಸಾದ್ಯಚರಿತೋಗಣನಾಯಕಃ । ಅಪಹಾಸಂ

ಹ್ಮನು ಗಣೇಶಗೆ ಭಾರ್ಯಾರ್ಥವಾಗಿ, ಅಣಿಮೆ, ಮಹಿಮೆ, ಲಘಿಮೆ, ಗರಿಮೆ, ಪ್ರಾಪ್ತಿ, ಪ್ರಾಕಾಮ್ಯ, ಈಶತ್ವ ವಶತ್ವಗಳೆಂಬ ಹೆಸರುಳ್ಳ, ಅಷ್ಟಸಿದ್ಧಿಗಳಂ ಕೊಟ್ಟು ಪೂಜಿಸಿ ಗಣೇಶನಂ ಸ್ತುತಿಸಿದನು; ಗಜವಕ್ತ್ರನೆ ಗಣಾಧ್ಯಕ್ಷನೆ ಲಂಬೋದರನೆ ವರಪ್ರದನೆ ವಿಘ್ನಾಧಿರಾಜನೆ ದೇವೇಶನೆ ಸೃಷ್ಟಿ ಸಂಹಾರ ಕಾರಕನೆ. ಗಣಾಧ್ಯಕ್ಷನಾದ ನಿನ್ನ ಪೂಜೆಯಂ ಮೋದಕಾದಿಗಳಿಂದ ಮಾಡಿದವರಿಗೆ ನಿರ್ವಿಘ್ನದಿಂದ ಸಕಲ ಕಾರ್ಯ ಸಿದ್ಧಿಯಾಗುವದು. ದೇವತೆಗಳಾಗಲಿ, ರಾಕ್ಷಸರಾಗಲಿ, ನಿನ್ನನ್ನು ಪೂಜೆಯಂ ಮಾಡದೆ ಯಾರು ಕಾರ್ಯ ಸಿದ್ಧಿಯಂ ಅಪೇಕ್ಷಿಸುವರೊ, ಅವರಿಗೆ ಕೋಟಿ ಕಲ್ಪಗಳಿಗಾದರೂ, ಕಾರ್ಯ ಸಿದ್ಧಿ ಆಗುವದಿಲ್ಲ. ನಿನ್ನಲ್ಲಿ ಭಕ್ತಿಯಿಂದ ವಿಷ್ಣು, ಜಗವಂ ಪಾಲಿಸನು, ರುದ್ರನು ಸಂಹರಿಸುವನು, ನಾನು ಸೃಷ್ಟಿಸುವೆನು. ಈ ರೀತಿಯಲ್ಲಿ ಸ್ತುತಿಸಲ್ಪಟ್ಟ ದೇವ ದೇವನಾದ ವಿನಾಯಕನು, ಅತ್ಯಂತ ಸಂತುಷ್ಟನಾಗಿ, ಬ್ರಹ್ಮನಂ ಕುರಿತು ಹೇಳಿದನು. ಬ್ರಹ್ಮನೆ, ನಿನ್ನ ಮನದಲ್ಲಿರುವ ವರವಂ ಕೇಳು,

తదాచ క్రీసో మోరూపమదాన్వితః । తంద్రుష్ట్వా కోపతామ్రాక్షో గణా
నాథశ్శశాపతం । దర్శనీయః సురూపోఽహం సుందరశ్చారుమిత్యథ ।
గర్వితోసి శశాంకత్వం ఫలంప్రాప్స్యసి సత్వరం । అద్యప్రభృతి లోకా
స్త్వాంనహిపశ్యంతిపాపినం । యేపశ్యంతిప్రమాదేన త్వాంనరాధ్యగ
లాంఛనం । మిథ్యాభిశాపసంయుక్తాస్తే విష్యంతిహతి ధ్రువం । హా
హాకారో మహాన్ జాతః శ్రుత్వాపాపంచ తీక్ష్ణం । అత్యంత మ్లానవ
దనస్తం ద్రోజలమధ్యావిశత్ । కుముదం కౌముదీనాథః స్థిత స్తత్రత్య తా
లయః । తతోదేవర్షిగంధర్వానిరాశోద్విగ్నమానసాః । తురాసా
హంపురోధాయజగ్ముస్తేతంపితామహం । దేవంశశంసుశ్చంద్రస్యగణేశ

ಕೊಡುವೆನೆಂದನು. ಪ್ರಭುವಾದ ಗಣನಾಯಕನೇ ನಾನು ಮಾಡುವ ಸೃಷ್ಟಿಯು ನಿರ್ವಿಘ್ನವಾಗಿ ನಡಿಯಲೆಂದು ಬೇಡಿಲೂ, ಆ ವರವಂ ಕೊಟ್ಟು ಬ್ರಹ್ಮ ಸಮರ್ಪಿಸಿದ ಕಡುಬುಗಳಂ, ಕೈಲಿ ಇಟ್ಟುಕೊಂಡು ಸ್ವೇಚ್ಛೆಯಾಗಿ ಅಂತರಿಕ್ಷದಲ್ಲಿ ಮೆಲ್ಲ ಮೆಲ್ಲನೆ ಸಪ್ತಲೋಕಗಳಲ್ಲು ಸಂಚರಿಸುತ್ತಾ, ಚಂದ್ರಲೋಕವಂ ಹೊಂದಿ ಸಂಚರಿಸುವನಾದನು. ರೂಪದಿಂದುಂಟಾದ ಗರ್ವ ಯುಕ್ತನಾದ ಚಂದ್ರನು, ಗಣೇಶನಂ ನೋಡಿ ಹಾಸ್ಯವಂ ಮಾಡಿದನು. ಗಣನಾಥನು, ಆ ಚಂದ್ರನಂ ಕಂಡು, ಕೋಪದಿಂ ಕೆಂಪಾದ ನೇತ್ರವುಳ್ಳವನಾಗಿ, ಶಪಿಸಿದನು. ಎಲೈ ಚಂದ್ರನೇ, ನಾನು ಸುರೂಪಿ ಸುಂದರನು, ಸರ್ವರಿಂದಲೂ, ನೋಡತಕ್ಕವನೆಂದು ಗರ್ವಿಷ್ಠನಾಗಿದ್ದೀಯಲ್ಲ, ಶೀಘ್ರದಲ್ಲಿಯೇ ಫಲವಂ ಅನುಭವಿಸುತ್ತೀ. ಇದು ಮೊದಲುಗೊಂಡು ಪಾಪಿಯಾದ ನಿನ್ನನ್ನು ಜನರು ನೋಡರು, ಯಾರಾದರೂ ಪ್ರಮಾದದಿಂದ ಮೃಗಲಾಂಛನನಾದ ನಿನ್ನನ್ನು ನೋಡುತ್ತಾರೆಯೋ, ಅವರು ನಿನ್ನ ದೆಸೆಯಿಂದ ಸುಳ್ಳಾದ

ಸ್ವಚಚೇಷ್ಟಿತಂ। ದತ್ತಶ್ಶಾಪೋಗಣೇಶೇನಕಥಯಾಮಾಸುರಾದರಾತ್ । ವಿಚಾರ್ಯ ಭಗವಾನ್ ಬ್ರಹ್ಮಾತಾಸ್ಸುರಾನಿದಮಬ್ರವೀತ್ । ಗಣೇಶಶಾಪೋಚಿವೆಂಪ್ರಶಕ್ಯತೇ ಕೇನಚಾನ್ಯಥಾ । ಕರ್ತುಂರುದ್ರೇಣಸಮಯಾ ವಿಷ್ಣುನಾಚಾಪಿನಿಶ್ಚಿತಂ । ತಮೇವ ದೇವದೇವೇಶಂ ವ್ರಜಧ್ವಂಶರಣಂಸುರಾಃ । ಸಏವ ಶಾಪಮೋಕ್ಷಂಚ ಕರಿಷ್ಯತಿ ನಸಂಶಯಃ ॥ ದೇವಾಊಚುಃ ॥ ಕೇನೋಪಾಯೇನವರದೋಗಜವಕ್ತ್ರೋಗಣೇಶ್ವರಃ । ಪಿತಾಮಹಮಹಾಪ್ರಾಜ್ಞತದಸ್ಮಾಕಂವದಪ್ರಭೋ॥ ಪಿತಾಮಹಉವಾಚ॥ ಚತುರ್ಥ್ಯಾಂದೇವದೇವೋಪಾಪೂಜನೀಯಸ್ಸದೈವಹಿ । ಕೃಷ್ಣಪಕ್ಷೇವಿಶೇಷೇಣ ನಕ್ತಂಕುರ್ಯಾಚ್ಚತದ್ವ್ರತಂ । ಅಪೂಪೈಃಪೃಥುಕೈಸ್ಸಂಯುಕ್ತೈಃ ಮೋದಕೈಃ ಪರಿತೋಷಯೇತ್ । ಮಧುರಾನ್ನಂಹವಿಷ್ಯಂಚ ಸ್ವಯಂಭುಂಜೀತವಾಗ್ಯತಃ ।

ಅಪವಾದವಂ ಹೊಂದುವರು, ಇದು ನಿಶ್ಚಯವೆಂದನು, ಆಗಲಿ ಭಯಂಕರವಾದ ಪಾಪವಾಕ್ಯವಂ ಕೇಳಿ ಅಧಿಕವಾದ ಹಾಹಾಕಾರ ಹುಟ್ಟಿತು. ಆಗ ಚಂದ್ರನು ಅತ್ಯಂತ ಬಾಡಿದ ಮುಖವುಳ್ಳವನಾಗಿ ನೀರಿನಲ್ಲಿ, ಮುಳುಗಿ ಬಿಳಿನೈದಲೆ ಹುವ್ವಿನಲ್ಲಿ ವಾಸ ಮಾಡಿದನು. ಅನಂತರದಲ್ಲಿ ಚಂದ್ರಕಳಾ ವ್ಯಾತವೇ ಅನ್ನವಾಗುಳ್ಳ, ದೇವ ಋಷಿ, ಗಂಧರ್ವರು, ನಿರಶನರಾದ್ದರಿಂದ ಭಯಪಟ್ಟ ಮನಸ್ಸುಳ್ಳವರಾಗಿ ಇಂದ್ರನಂ ಮುಂದೆ ಕರಕೊಂಡು, ಬ್ರಹ್ಮನ್ನ ಕುರಿತು ಹೋಗಿ ಸ್ತುತಿಸಿ ಚಂದ್ರನ ವ್ಯಾಪಾರವನ್ನು ಗಣೇಶ ಕೊಟ್ಟ ಶಾಪವನ್ನು ಬ್ರಹ್ಮನಿಗೆ ಹೇಳಿದರು. ಬ್ರಹ್ಮ ಯೋಚಿಸಿ ದೇವತೆಗಳಂ ಕುರಿತು, ಒಂದು ಮಾತಂ ಹೇಳಿದನು. ಇಂದ್ರನೆ, ಗಣೇಶ ಕೊಟ್ಟ ಶಾಪವನ್ನು ಅನ್ಯಥಾ ಮಾಡುವದಕ್ಕೆ ಪರಿಹರಿಸಲಿಕ್ಕೆ ನನ್ನಿಂದಲಾಗಲಿ, ವಿಷ್ಣುವಿನಿಂದಲಾಗಲಿ, ರುದ್ರನಿಂದಲಾಗಲಿ, ಆಗ

ನಿಶ್ಚಯವು. ದೇವತೆಗಳಿರಾ, ದೇವ ದೇವೇಶ್ವರನಾದ ಆ ವಿಘ್ನೇಶ್ವರನ್ನೇ, ಸಂರಕ್ಷಕನನ್ನಾಗಿ ಹೊಂದತಕ್ಕದ್ದು.

స్వర్ణరూపం గణేశస్య దాతవ్యం బ్రాహ్మణాయ చ । శక్త్యా చ దక్షి
ణాం దద్యాద్విత్తశాఠ్యం న కారయేత్ । ఏవం శ్రుత్వా వచస్సర్వే త్రిప
యర్ణాఽప్సరసిం సురాః । సగత్వా రథయామాస చంద్రాయ బ్రహ్మణో
దితం । వ్రతం చ క్రేతకత్వం ద్రోయథోక్తం బ్రహ్మణా పురా । ఆవిర్బ
భూవత గనాగ్ గణేశో వ్రతతోషితః । తం క్రీడమానం గణనాయకం
చ దృష్ట్వా తుతుష్టావ కలానిధానః । త్వం కారణం కారణకారణా
నాం వేత్తాసి వేద్యం చ విభో ప్రసీద । ప్రసీద శివేశ జగన్నివాస గణేశ
లంబోదర వక్రతుండ । విరించినారాయణపూజ్యమానక్షమస్వ మేగ
పరాక్రతం చ హాస్యం । మిత్వా మసంపూజ్య గణేశ నూనం నాంథంతి

ಆತನೆ ಶಾಪ ಮೋಕ್ಷವಂ ಕೊಡುವನು, ಸಂಶಯವಿಲ್ಲವೆ
ನ್ನಲೂ, ದೇವತೆಗಳಿಂತೆಂದರು. ಪ್ರಭುವಾದ ಮಹಾ ಪ್ರಾ
ಜ್ಞನಾದ ಬ್ರಹ್ಮನೆ ಪ್ರಮಥ ಗಣಾಧಿಪತಿಯಾದ ಗಜಮುಖ
ನು, ಯಾವ ಉಪಾಯದಿಂದ ಪ್ರಸನ್ನನಾಗುವನೆಂದು ಕೇಳ
ಲೂ, ಬ್ರಹ್ಮ ಇಂತೆಂದನು. ನಿರಂತರದಲ್ಲಿಯೂ ಚವತೀ
ದಿನದಲ್ಲಿ ವಿನಾಯಕನಂ ಪೂಜಿಸಬೇಕು. ವಿಶೇಷವಾಗಿ ಕೃ
ಷ್ಣಪಕ್ಷ ಚವತೀ ದಿನ ವ್ರತವಂ ನಕ್ತವಂ ಮಾಡಬೇಕು.
ಅಪೂಪ, ಘೃತಯುಕ್ತವಾದ ಮೋದುಕಗಳಿಂದ, ಗಣೇಶನಂ
ತೃಪ್ತಿಪಡಿಸಬೇಕು. ವ್ರತ ಮಾಡಿದವನು, ನಿಯಮಸ್ಥನಾಗಿ
ಮಧುರಾನ್ನ ಹವಿರ್ದ್ರವ್ಯಗಳಂ ಭುಂಜಿಸಬೇಕು. ಸುವ
ರ್ಣಮಯವಾದ ಗಣೇಶ್ವರ ಪ್ರತಿಮೆಯಂ ದಾನ ಮಾಡಬೇ
ಕು. ಯಥಾಶಕ್ತಿ ದಕ್ಷಿಣೆ ಕೊಡಬೇಕು. ಎಂಬುದಂ ಕೇಳಿ
ದೇವತೆಗಳು, ಬೃಹಸ್ಪತ್ಯಾಚಾರ್ಯರಂ ಕಳುಹಿ ಬ್ರಹ್ಮ ಹೇಳಿದ
ವೃತ್ತಾಂತವಂ ಚಂದ್ರನಿಗೆ ಹೇಳಿಸಿದರು. ಆಗಲೇ ಚಂದ್ರನು
ಬ್ರಹ್ಮ ಹೇಳಿದ ಪ್ರಕಾರ ಆ ವ್ರತವಂ ಆಚರಿಸಿದನು. ಗಣೇ

ಮುಧಾಸುಕೃತೆಪ್ರಸಿದ್ಧಿಂ । ತಚ್ಚೈವನಷ್ಟಾನಿಭವಂತಿತಸ್ಯ ಜ್ಞಾತೋಮಯಾತೆ ಸಕಲಃಪ್ರಭಾವಃ । ಯೇಚಾಪ್ಯುದಾಸೀನತರಾಸ್ತುಪಾಪಾಸ್ತ್ವಯ್ಯಾಂತಿವಾಸಂನರಕೇಸದೈವ । ಹೇರಂಬಲಂಬೋದರಮಿಷ್ಟಮಸ್ವದುಶ್ಚೇಷ್ಟಿತಂ ತತ್ಕರುಣಾಸಮುದ್ರ । ಏವಂಸಂಸ್ತೂಯಮಾನೋಸೌಚಂದ್ರೇಣಾಥಗಜಾನನಃ ॥ಗಣೇಶಃ॥ ತುಷ್ಟೋಹಂತವದಾಸ್ಯಾಭಿಯಚ್ಛಸೀವರಂತವ । ತತೋಬ್ರಹ್ಮಾದಯಸ್ಸರ್ವೇಸಮಾಜಗ್ಮುರ್ಭಯಾರ್ದಿತಾಃ । ವಿಶಾಪಂಕುರುದೇವೇಂದುಂ ಪ್ರಾರ್ಥಯಾಮೋವಯಂತವ । ವಿಶಾಪಮಕರೋಚ್ಚಂದ್ರಂಕಮಲಾಸನಗೌರವಾತ್ । ಶುಕ್ಲಪಕ್ಷೇಚತುರ್ಥ್ಯಾಂತುಯೇಪಶ್ಯಂತಿಸದೈವಹಿ । ಮಿಥ್ಯಾಪವಾದಮ್ಯಾವರ್ಷಂಪ್ರಾ

ಶನು ಆ ವ್ರತದಿಂದ ಸಂತೋಷಪಟ್ಟವನಾಗಿ, ಪ್ರತ್ಯಕ್ಷನಾದನು. ಚಂದ್ರನು ಆಡುತ್ತಿರುವ ಆ ಗಣೇಶನಂ ನೋಡಿ ಸ್ತೋತ್ರವಂ ಮಾಡಿದನು. ಸ್ವಾಮಿಯೆ, ನೀನು ಕಾರ್ಯಕಾರಣಗಳಿಗೆ ಕಾರಣಭೂತನಾದವನು ತಿಳಿಸತಕ್ಕದ್ದರನ್ನ ನೀನೇ ತಿಳಿದಿದ್ದೀಯಿ ನನಿಗೆ ಪ್ರಸನ್ನನಾಗು, ದೇವೇಶ ಜಗನ್ನಿವಾಸ, ಗಣೇಶ, ಲಂಬೋದರ ವಕ್ರತುಂಡ ಬ್ರಹ್ಮ, ವಿಷ್ಣುಗಳಿಂದ ಪೂಜಿಸಲ್ಪಡುವವನೇ ಪ್ರಸನ್ನನಾಗು, ಗರ್ವದಿಂದ ಮಾಡಿದ ಹಾಸ್ಯವಂ ಕ್ಷಮಿಸು, ಗಣೇಶನೆ ನಿನ್ನನ್ನು ಪೂಜಿಸದೆ ಯಾರು ಸುಕೃತ ಪ್ರಸಿದ್ಧಿಯಂ ಅಪೇಕ್ಷಿಸುವರೋ, ಅವರು ನಷ್ಟಭಾಗ್ಯರು ಆಗುವರು, ನಿನ್ನ ಪ್ರಭಾವವೆಲ್ಲಾ ನಾನು ತಿಳಿದೆನು. ಯಾವ ಪಾಪಾತ್ಮರು ನಿನ್ನಲ್ಲಿ ಉದಾಸೀನರಾಗಿರುತ್ತಾರೊ, ಅವರು ಸದಾ ನರಕವನ್ನೈದುವರು. ಕರುಣಾ ಸಮುದ್ರನೆ, ಹೇರಂಬನೆ, ಲಂಬೋದರನೆ, ನನ್ನದುಶ್ಚೇಷ್ಟೆಯಂ ಕ್ಷಮಿಸೆಂದು ಚಂದ್ರನಿಂದ ಸ್ತುತಿಸಲ್ಪಟ್ಟ ಆ ಗಣೇಶನಿಂತೆಂದನು. ನಾನು ಸಂತುಷ್ಟನಾದೆನು, ನೀನು ಏನು ಅಪೇಕ್ಷಿಸುತ್ತೀಯೋ, ಆ ವರವಂ ಕೇಳು ಕೊಡುವೆನೆಂದನು.

ವ್ಯಂತೀಹನಸಂಶಯಃ । ಮಾಸಾಪಾಪೂರ್ವಮಿವತ್ವಾಂ ಯೇಪಶ್ಯಂತಿಸದಾಜನಾಃ । ಚತುರ್ಥ್ಯಾಂಶುಕ್ಲಪಕ್ಷಸ್ಯತೇಷಾಂದೋಷೋನಜಾಯತೇ । ತದಾಪ್ರಭೃತಿಲೋಕೋಯಂದ್ವಿತೀಯಾಯಾಂಸ್ತ್ವತಾದರಃ । ಪುನರೇವತುಪಪ್ರಚ್ಛಗಜಾನನಂಗಣನಾಯಕಂ । ಕೇನೋಪಾಯೇನಚಂದ್ರಶ್ಚಪೂಜ್ಯೋಭವತಿತದ್ವದ ॥ ॥ಗಣೇಶಉವಾಚ ॥ ಸದಾಕೃಷ್ಣಚತುರ್ಥ್ಯಾಂತು ಮೋದಕಾದ್ಯೈಃಪ್ರಪೂಜ್ಯಮಾಂ । ರೋಹಿಣ್ಯಾಸಹಿತಂತ್ವಾಂಚ ಸಮಭ್ಯರ್ಚ್ಯವಿಧಾನತಃ । ಯಥಾಶಕ್ತ್ಯಾಚಮದ್ರೂಪಂ ಸ್ವರ್ಣೇನಪರಿಕಲ್ಪಿತಂ । ದತ್ವಾದ್ವಿಜಾಯಭುಕ್ತ್ವಾಥಕಥಾಂಶ್ರುತ್ವಾವಿಧಾನತಃ । ಸದಾತಸ್ಯಕರಿಷ್ಯಾಮಿಸಂಕಷ್ಟಸ್ಯನಿವಾರಣಂ ।

ಆಗ ಬ್ರಾಹ್ಮಾದಿ ದೇವತೆಗಳೆಲ್ಲಾ ಭಯ ಬಾಧಿತರಾಗಿ, ಗಣೇಶನ ಸಮೀಪಕ್ಕೆ ಬಂದರು. ಸ್ವಾಮಿಯೇ, ನಿನಗೆ ಪ್ರಾರ್ಥಿಸುತ್ತೇವೆ, ಚಂದ್ರನಂ ಶಾಪರಹಿತನಂ ಮಾಡೆನ್ನಲು; ಬ್ರಹ್ಮನಲ್ಲಿ ಗೌರವದಿಂದ ಚಂದ್ರನನ್ನು ಶಾಪವಿಲ್ಲದವನಂ ಮಾಡಿದನು. ಶುಕ್ಲಪಕ್ಷ ಚವತಿಯಲ್ಲಿ ಯಾರು ಚಂದ್ರನಂ ನೋಡುವರೋ, ಅವರು ಒಂದು ವರ್ಷಪರಿಯಂತವೂ ಮಿಥ್ಯಾಪವಾದವಂ ಅನುಭವಿಸುವರು. ಶುಕ್ಲ ಪಾಡ್ಯಮೀ ದಿನ ಯಾರು ನಿನ್ನನ್ನು ನೋಡುವರೋ, ಅವರಿಗೆ ಚವತಿಯಲ್ಲಿ ನಿನ್ನ ಕಂಡರೆ ದೋಷವಿಲ್ಲವೆಂದನು. ಅದು ಮೊದಲುಗೊಂಡು ಈ ಲೋಕವು ದ್ವಿತೀಯಾ ಚಂದ್ರ ದರ್ಶನದಲ್ಲಿ ಆದರಿಸುವರು. ಮತ್ತೂ ಬ್ರಹ್ಮನು ಗಣೇಶನಂ ಕುರಿತು ಇಂತೆಂದನು,—ಚಂದ್ರನು ಯಾವದರಿಂದ ಪೂಜ್ಯನಾಗುವನೆನ್ನಲು; ಗಣೇಶ ಇಂತೆಂದನು,—ನಿರಂತರದಲ್ಲೂ ಕೃಷ್ಣ ಚತುರ್ಥಿಯಲ್ಲಿ ಮೋದುಕಾದಿಗಳಿಂದ ಯಾರು ನನ್ನನ್ನು ಪೂಜಿಸಿ ರೋಹಿಣೀ ಸಮೇತನಾದ ನಿನ್ನನ್ನು ಪೂಜಿಸಿ ಯಥಾಶಕ್ತಿ ಸುವರ್ಣದಿಂದ ನನ್ನ ರೂಪವಂ ಕಲ್ಪಿಸಿ, ಬ್ರಾಹ್ಮರಿಗೆ ದಾನವಂ ಕೊಟ್ಟು,

ಭಾದ್ರಶುಕ್ಲಚತುರ್ಥ್ಯಾಂತು ಮೃಣ್ಮಯಪ್ರತಿಮಾಂಶುಭಾಂ । ಶಿವಾಂತಾಂ ವಿತು
ಕರ್ತವ್ಯಾನಾನಾಪುಷ್ಪೈಃ ಪ್ರಪೂಜಯೇತ್ । ಬ್ರಾಹ್ಮಣಾನ್ಭೋಜಯೇತ್ಪಶ್ಚಾತ್
ಜಾಗರಂ ಚ ವಿಶೇಷತಃ । ಸ್ಥಾಪಯೇದವ್ರಣಂ ಕುಂಭಂ ಧಾನ್ಯಸ್ಯೋಪರಿ ಶೋಭಿತಂ ।
ಯಥಾಶಕ್ತ್ಯಾ ಚ ಮದ್ರೂಪಂ ಶಾತಕುಂಭೇನ ನಿರ್ಮಿತಂ । ವಸ್ತ್ರದ್ವಯಸಮಾ
ಚ್ಛನ್ನಂ ಮೋದಕಾದ್ಯೈಃ ಪ್ರಪೂಜ್ಯ ಮಾಂ । ರಕ್ತಾಂಬರಧರೋ ಮರ್ತ್ಯೋ ಬ್ರಹ್ಮ
ಚರ್ಯವ್ರತೇ ಶುಚಿಃ । ರಾಜತಸ್ಯ ತು ರೂಪಂ ಮೇ ಯಥಾಶಕ್ತ್ಯಾ ವಿನಿರ್ಮಿತಂ ।
ವಸ್ತ್ರಂ ಶಿವಪ್ರಿಯಾಯೇತಿ ಗಣೇಶಾಯೋಪವಸ್ತ್ರಕಂ । ಗಂಧಂ ಲಂಬೋದರಾಯೇತಿ
ಪುಷ್ಪಂ ಸಿದ್ಧಿಪ್ರದಾಯಿನೇ । ಧೂಪಂ ಗಜಮುಖಾಯೇತಿ ದೀಪಂ ಮೂಷಕಗಾಮಿನೇ ।

ಭೋಂಜಿಸಿ, ಯಥಾವಿಧಿಯಾಗಿ ಕಥಾಶ್ರವಣವಂ ಮಾಡುವರೋ, ಅವರ ಕಷ್ಟವನ್ನೆಲ್ಲಾ ಪರಿಹರಿಸುವೆನು. ಮತ್ತೂ ಭಾದ್ರಪದ ಶುದ್ಧ ಚವತಿಯಲ್ಲಿ ಸುವರ್ಣ ಭಾವದಲ್ಲಿ ಶುಭಕರವಾದ ಮೃತ್ತಿಕೆಯಿಂದ ನನ್ನ ಪ್ರತಿಮೆಯಂ ಮಾಡಿ ನಾನಾ ಪುಷ್ಪಗಳಿಂದ ಪೂಜಿಸಬೇಕು. ಬ್ರಾಹ್ಮಣ ಭೋಜನವಂ ಮಾಡಿಸಬೇಕು. ವಿಶೇಷವಾಗಿ ಜಾಗರಣೆಯಂ ಮಾಡಬೇಕು. ಮತ್ತೂ ಧಾನ್ಯದ ಮೇಲೆ ಅವ್ರಣವಾದ ಕಲಶವನ್ನಿಟ್ಟು ಯಥಾಶಕ್ತಿ ಸುವರ್ಣ ಗಣೇಶ ಪ್ರತಿಮೆಯಂ ಆ ಕಲಶದಲ್ಲಿ ಹಾಕಿ ವಸ್ತ್ರದ್ವಯದಿಂ ಹೊದಿಸಿ, ಮೋದುಕಾದಿಗಳಿಂದ ನನ್ನನ್ನು ಪೂಜಿಸಿ ವ್ರತಿಯಾದವನು ಬ್ರಹ್ಮಚರ್ಯ ವ್ರತಸ್ಥನಾಗಿ, ಶುಚಿರ್ಭೂತನಾಗಿ, ರಕ್ತಾಂಬರಧರನಾಗಿ, ಯಥಾಶಕ್ತಿ ರಜಿತದಿಂದ ನಿರ್ಮಿಸಿದ ನನ್ನ ರೂಪವಂ—ಶಿವಪ್ರಿಯಾಯನಮಃ—ವಸ್ತ್ರಂ ಸಮರ್ಪಯಾಮಿ, ಗಣೇಶಾಯನಮಃ—ಉಪವೀತಂ ಸಮರ್ಪಯಾಮಿ, ಲಂಬೋದರಾಯನಮಃ—ಗಂಧಂ ಸಮರ್ಪಯಾಮಿ, ಸಿದ್ಧಿಪ್ರದಾಯಿನೇನಮಃ—ಪುಷ್ಪಂ ಸಮರ್ಪಯಾಮಿ, ಗಜಮುಖಾಯನಮಃ—ಧೂಪಂ ಸಮರ್ಪಯಾ

ವಿಘ್ನನಾಥಾಯನೈವೇದ್ಯಂಫಲಂಸರ್ವಾರ್ಥದಾಯಿನೆ । ತಾಂಬೂಲಂಕಾಮ
ರೂಪಾಯದತ್ತೇ ಣಾಂಧನದಾಯಚ । ಇಕ್ಷುದಂಡೈರ್ಮೋದಕೈರ್ವ್ಯಾಹೋಮಂ
ಕುರ್ಯಾಚ್ಚ ನಾಮಭಿಃ । ವಿಸರ್ಜನಂತತಃಕುರ್ಯಾತ್ ಸರ್ವಸಿದ್ಧಿಪ್ರದಾಯಕಂ
ಏವಂಸಂಪೂಜ್ಯವಿಘ್ನೇಶಂ ಕಥಾಂಶ್ರುತ್ವಾವಿಧಾನತಃ । ಮಂತ್ರೇಣಾನೇನತತ್ಸ
ರ್ವಂ ಬ್ರಾಹ್ಮಣಾಯನಿವೇದಯೇತ್ । ದಾನೇನಾನೇನದೇವೇಶ ಪ್ರೀತೋಭವಗಣೇ
ಶ್ವರ । ಸರ್ವತ್ರಸರ್ವದಾದೇವ ನಿರ್ವಿಘ್ನಂಕುರುಸರ್ವದಾ । ಮನೋನ್ನತಿಂಚ
ರಾಜ್ಯಂಚ ಪುತ್ರಪೌತ್ರಾನ್ಪ್ರದೇಹಿಮೆ । ಗೋಶ್ಚಧಾನ್ಯಂಚವಾಸಾಂಸಿದದ್ಯಾ
ತ್ಸರ್ವಂಸ್ವಶಕ್ತಿತಃ । ದತ್ವಾತುಬ್ರಾಹ್ಮಣೇಭ್ಯಸ್ಸರ್ವೇಭಿಃ ಸ್ವಯಂಭುಂಜೀತವಾ

ಮಿ, ಮೂಷಕಗಾಮಿನೇನಮಃ - ದೀಪಂ ಸಮರ್ಪಯಾಮಿ, ವಿಘ್ನನಾಥಾಯನಮಃ—ನೈವೇದ್ಯಂ ಸಮರ್ಪಯಾಮಿ, ಸರ್ವಾರ್ಥದಾಯಿನೇನಮಃ—ಫಲಂ ಸಮರ್ಪಯಾಮಿ, ಕಾಮರೂಪಾಯನಮಃ—ತಾಂಬೂಲಂ ಸಮರ್ಪಯಾಮಿ, ಧನದಾಯನಮಃ—ದಕ್ಷಿಣಾಂ ಸಮರ್ಪಯಾಮಿ ಎಂದು ಪೂಜಿಸಿ, ಈ ನಾಮ ಮಂತ್ರಂಗಳಿಂದ ಕಬ್ಬು ತುಂಡುಗಳಿಂದಲೂ ಮೋದಕಗಳಿಂದಲೂ ಹೋಮವಂ ಮಾಡಿ ಅನಂತರದಲ್ಲಿ ವಿನಾಯಕನಂ ವಿಸರ್ಜನೆಯಂ ಮಾಡಬೇಕು. ಈ ರೀತಿಯಲ್ಲಿ ವಿಘ್ನೇಶ್ವರನಂ ವಿಧಾನದಿಂದ ಪೂಜಿಸಿ ಕಥೆಯಂ ಕೇಳಿ ಈ ಮಂತ್ರದಿಂದ ಆ ಎಲ್ಲವೂ ಬ್ರಾಹ್ಮಣಗೆ ದಾನವಂ ಕೊಡಬೇಕು. ಶ್ಲೋ ॥ ದಾನೇನಾನೇನ ದೇವೇಶ ಪ್ರೀತೋಭವಗಣೇಶ್ವರ । ಸರ್ವತ್ರ ಸರ್ವದಾದೇವ ನಿರ್ವಿಘ್ನಂಕುರುಸರ್ವದಾ॥ ಅಧಿಕವಾದ ಮಾನವನ್ನು, ರಾಜ್ಯವನ್ನು, ಪುತ್ರ ಪೌತ್ರರನ್ನು ಕೊಡು ಎಂದು ಪ್ರಾರ್ಥಿಸಿ, ಯಥಾಶಕ್ತಿ ಗೋಧಾನ್ಯ, ವಸ್ತ್ರ, ಸುವರ್ಣ ದಾನಗಳಂ ಮಾಡಿ, ಬ್ರಾಹ್ಮರೊಡನೆ ನಿಯಮದಿಂದ ಲವಣ ಕ್ಷಾರ ವಸ್ತುಗಳಂ ಬಿಟ್ಟು, ಮೋದಕಾಪೂಪ ಮ

ಗ್ಯತಃ । ಮೋದಕಾನ್ಪೂಪಮಧುರಂಲವಣಕ್ಷಾರವರ್ಜಿತಂ । ಏವಂಕರೋತಿಯಶ್ಚಂದ್ರತಸ್ಯಾಹಂಸರ್ವದಾಜಯಂ । ಸಿದ್ಧಿಂಚಧನಧಾನ್ಯೈಶ್ಚದದಾಮಿವಿಪುಲಾಂಪ್ರಜಾಂ । ಇತ್ಯುಕ್ತ್ವಾಂತರ್ದಧೇದೇವೋ ವಿಘ್ನರಾಜೋವಿನಾಯಕಃ । ತದ್ವ್ರತಂಕುರುಕೃಷ್ಣತ್ವಂತತಸ್ಸಿದ್ಧಿಮವಾಪ್ಸ್ಯಸಿ । ದ್ವಾರದೇನೈವಮುಕ್ತಸ್ತದ್ವ್ರತಂಚಕ್ರೇಹರಿಸ್ಸ್ವಯಂ । ಮಿಥ್ಯಾಪವಾದಸಂಶುದ್ಧಿರ್ವಿಘ್ನೇಶೇಯಂಕೃಷ್ಣಯಾಚಿತಂ । ಯೇಶೃಣ್ವಂತಿತದಾಖ್ಯಾನಂ ಸ್ಯಮಂತಕಮಣೇರ್ಯತಂ । ಚಂದ್ರಸ್ಯಚರಿತಂಸರ್ವಂತೇಷಾಂದೋಷೋನಜಾಯತೇ । ಭಾದ್ರಶುಕ್ಲಚತುರ್ಥ್ಯಾಂತು ಕ್ವಚಿಚ್ಚಂದ್ರಸ್ಯದರ್ಶನಂ । ಜಾತಂತತ್ಪರಿಹಾರಾರ್ಥಂ ಶ್ರೋತವ್ಯಂಸರ್ವಮೇವಹಿ ।

ಧುರ ಪದಾರ್ಥಂಗಳಂ ಭೋಜಿಸಬೇಕು. ಈ ರೀತಿಯಲ್ಲಿ ಯಾವನು ಮಾಡುವನೋ, ಅವನಿಗೆ ನಾನು ನಿರಂತರದಲ್ಲಿಯೂ ಜಯವಂ, ಕಾರ್ಯ ಸಿದ್ಧಿಯಂ, ಧನ ಧಾನ್ಯಗಳಂ, ಅನೇಕ ಸತ್ಪುತ್ರರಂ ಕೊಡುವೆನೆಂದು ಹೇಳಿ, ವಿಘ್ನಗಳಿಗೆಲ್ಲಾ ಅರಸನಾದ ವಿನಾಯಕನು ಅಂತರ್ಧಾನವಾದನು. ಎಲೈ, ಕೃಷ್ಣಾನೇ, ನೀನು ಈ ವ್ರತವಂ ಮಾಡು, ಸರ್ವ ಸಿದ್ಧಿಯಂ ಹೊಂದುವಿ ಎಂದು ನಾರದನಿಂದ ಹೇಳಲ್ಪಟ್ಟು, ಕೃಷ್ಣಸ್ವಾಮಿ ಆ ವ್ರತವಂ ಮಾಡಿ, ಮಿಥ್ಯಾಪವಾದ ಶುದ್ಧಿಯಂ ಹೊಂದಿ ಪ್ರತ್ಯಕ್ಷನಾದ ಗಣೇಶನಂ ಬೇಡಿದನು. ಸ್ಯಮಂತಕ ಮಣಿಯುಕವಾದ ನಿನ್ನ ಈ ಆಖ್ಯಾನವನ್ನು ಚಂದ್ರ ಚರಿತ್ರವಂ ಯಾರು ಕೇಳುವರೋ, ಅವರಿಗೆ ಅಪವಾದ ದೋಷವು ಬರುವದಿಲ್ಲ. ಭಾದ್ರಪದ ಶುದ್ಧ ಚವತಿ ದಿನ ಆಕಸ್ಮಿಕವಾಗಿ ಚಂದ್ರ ದರ್ಶನವಾದರೆ, ಆ ದೋಷ ಪರಿಹಾರಾರ್ಥವಾಗಿ ಈ ಆಖ್ಯಾನವನ್ನೆಲ್ಲಾ ಕೇಳಬೇಕು. ಯಾವ್ಯಾವ ವ್ಯಾಳೆಯಲ್ಲಿ ಮನಸ್ಸಿಗೆ ಸಂದೇಹವು, ವ್ಯಸನವು, ಅಪವಾದವು, ಸಂಕಟವು, ಜನವಿರೋಧವು ಉಂಟಾಗುವದೋ, ಆ ಕಾಲದಲ್ಲಿ ಕಷ್ಟ ನಾಶ

ಯದಾಯದಾಮನಃಕಷ್ಟಂಸಂದೇಹಉಪಜಾಯತೇ। ತದಾತದಾ ಶ್ರೋತವ್ಯ
ಮಾಖ್ಯಾನಂಕಷ್ಟನಾಶನಂ । ಏವಮುಕ್ತ್ವಾಗತೋದೇವೋಗಣೇಶಃಕೃಷ್ಣತೋಷಿತಃ
ಯದಾಯದಾಸ್ತ್ರೀಯಸ್ಯಕಾರ್ಯಲುಕ್ತಿತೋನಾರೀನರಸ್ತಥವಾಕರೋತಿತದ್ವ್ರತಂ
ಸಿದ್ಧ್ಯಂತಿಕಾರ್ಯಾಣಿತತೀಪ್ಸಿತಾನಿ ಕಿಂದುರ್ಲಭಂಶ್ರೀವಿಘ್ನಹರೇಪ್ರಸನ್ನೆ॥

ಇತಿಸ್ಕಾಂದಪುರಾಣೇ ನಂದಿಕೇಶ್ವರ ಸನತ್ಕುಮಾರಸಂವಾದೇ
ಸ್ಯಮಂತಕೋಪಾಖ್ಯಾನಂ ಸಂಪೂರ್ಣಂ.

ನವಾದ ಈ ಆಖ್ಯಾನವಂ ಕೇಳಬೇಕೆಂದು ಹೇಳಿ, ಕೃಷ್ಣನಿಂದ ಸಂತೋಷಿಸಿ ಗಣೇಶಸ್ವಾಮಿ ಹೊರಟು ಹೋದನು. ಯಾವ್ಯಾವ ಕಾಲದಲ್ಲಿ—ಶ್ರೀಯೋ ವಿಷಯದಲ್ಲಿ ಕ್ರೂರತ್ವ ಉಂಟಾಗುವದೋ, ಸ್ತ್ರೀಯರಾದರೂ, ಪುರುಷರಾದರೂ, ಈ ವ್ರತವಂ ಮಾಡಿದರೆ ಸಕಲ ಇಷ್ಟಾರ್ಥಗಳು ಸಿದ್ಧಿಸುವದು. ವಿಘ್ನ ನಿವಾರಣನಾದ ಗಣನಾಯಕ ಪ್ರಸನ್ನವಾದರೆ ದುರ್ಲಭವೇನೆಂದು ನಂದಿಕೇಶ್ವರ ಸನತ್ಕುಮಾರಗೆ ಹೇಳಿದನು.

ಇತಿ ಸ್ಯಮಂತಕೋಪಾಖ್ಯಾನ ಸಂಪೂರ್ಣವು.

ಬೆಂಗಳೂರಲ್ಲಿರುವ ಮೈಸೂರು ಬುಕ್ ಡಿಪೋ ಮುದ್ರಾಕ್ಷರಶಾಲೆಯ
ಪ್ರೋಪ್ರೈಟರ್ ವಿ. ಬಿ. ಸುಬ್ಬಯ್ಯನವರಿಂದ ಛಾಪಾ ಮಾಡಲ್ಪಟ್ಟಿತು.

1873.

ಶ್ರೀ ವಾಗ್ದೇವ್ಯೈ ನಮಃ.

ಕರ್ನಾಟಕ ಟೀಕಾ ತಾತ್ಪರ್ಯ ಸಹಿತ.

ಶ್ರೀದೇವೀಭಾಗವತಂ.

1912ನೇ ಇಸವಿ ಅಕ್ಟೋಬರು. ಆಖೈರುವರೆವಿಗೆ ಸೇರಿರುವ

ಪೋಷಕರ ಮತ್ತು ಚಂದಾದಾರರ ಪಟ್ಟಿಯು.

ಬೆಂಗಳೂರು ಪೋಷಕರು.

೧ ಮಿಸ್ಟರ್ ಕೆ. ಪಿ. ಪುಟ್ಟಣ್ಣಶೆಟ್ಟರವರು. ದಿವಾನ್ ಬಹದ್ದೂರ್
ಮೈಸೂರು ಗೌರ್ನಮೆಂಟ್ ಸೀನಿಯರ್ ಕೌನ್ಸಲರರು.

೨. ,, ಡಿ. ಶ್ಯಾಮರಾಯರವರು, ರಾವ್ ಬಹದ್ದೂರ್
ಮೈಸೂರು ಗೌ॥ ರೆವಿನ್ಯೂ ಸರ್ವೆ ಸೂಪರಿಂಟೆಂಡೆಂಟರು

೩. ಡಾಕ್ಟರ್ ಪಿ, ಯಸ್, ಅಚ್ಯುತರಾಯರವರು
ಮೈಸೂರು ಗೌರ್ನಮೆಂಟ್ ಸೀನಿಯರ್ ಸರ್ಜನ್ನರು

೪. ಮಿಸ್ಟರ್ ಕೆ. ಜಿ. ಶ್ಯಾಮಣ್ಣನವರು ಬಿ. ಎ.
ಮೈಸೂರು ಗೌ॥ ರೆ॥ ಸರ್ವೆ॥ ಅ॥ ಸೂಪರಿಂಟೆಂಡೆಂಟರು.

೫. ,, ಎಸ್. ನಾರಾಯಣರಾಯರವರು ಅಡ್ವೋಕೇಟರು.

೬. ,, ಸಿ. ವಿಜಯರಂಗನಾಯಿಡುರವರು, ಅಸಿಸ್ಟೆಂಟ್ ಇಂಜನಿಯರು

೭. ಡಾಕ್ಟರ್ ವಿ. ಅಬ್ಬಾಯಿನಾಯಿಡುರವರು ಎಲ್. ಎಮ್. ಎಸ್.
ಸೂಪರಿಂಟೆಂಡೆಂಟ್ ಲ್ಯೂನಟಿಕ್ ಅಸೈಲಂ.

೮. ಮಿಸ್ಟರ್ ವೆಂಕಟರಾಮೈಯ್ಯನವರು ಜಹಗೀರ್‌ದಾರ್. ಮುದಗೊಂಡ

೯. ,, ವಾಜರಾಜರಾಘವೇಂದ್ರರಾಯರು ಮೋಜಣಿದಾರರು

೧೦. ,, ಜಿ. ನಂಜುಂಡೈಯ್ಯನವರು ಡಿಟ್ಟೊ

೧೧. ,, ರಾಮಚಂದ್ರ ಶ್ರೀನಿವಾಸರಾಯರು ಡಿಟ್ಟೊ

೧೨. ,, ರಾಮಚಂದ್ರಸುಬ್ಬಾಜಿ ಡಿಟ್ಟೊ

೧೩. ಮೆಸ್ಸರ್. ನರಸುಮೆಂಕಾಟಿ ಮೋಜಣಿದಾರರು

೧೪. ,, ಬಿ. ಸುಬ್ರಾಯರು ಡಿಟೊ

೧೫. ,, ಎಸ್, ಶೀತಾರಾಮೈಯ್ಯನವರು ಡಿಟೊ

೧೬. ,, ವೆಂಕಟಾಚಲಯ್ಯನವರು ಡಿಟೊ

೧೭. ,, ಕೆ. ನಂಪಂಗಿರಾಮಯ್ಯನವರು ಕ್ಲಾರಕ್ ಎ. ಎಸ್ಟಾಬ್ಲಿಷ್‌ಮೆಂಟ್

೧೮. ಮೆಸ್ಸರ್ ಸಿ. ಬಿ. ನರಸಿಂಗರಾಯರನವರು, ಸಬ್ ಅಸಿಸ್ಟೆಂಟ್ ಸರ್ಜನ್.

೧೯. ,, ಡಿ. ಅವೆಪ್ಪ ಅಂತಾಕ್ಸಿಸನ್ ರವರು ಸಾಹುಕಾರ್ರು

೨೦. ,, ಪಂಡಿತ ಚೌಡಪ್ಪನವರು, ಆಯುರ್ವೇದಿಕ್ ಡಾಕ್ಟರು

೨೧. ,, ಬಿ. ಕಾವೇಟಪ್ಪನವರು ಶಿಲ್ಕು ಮರ್ಚೆಂಟ್

೨೨. ,, ಕೆ. ಶ್ರೀಕಂಠಯ್ಯನವರು ಛೀಪ್‌ಕೋರ್ಟು ಹೆಡ್ ಟ್ರಾನ್ಸ್‌ಲೇಟರು

೨೩. ,, ಸಿ. ರಾಮಯ್ಯನವರು ಮ್ಯುನಿಸಿಪಲ್ ಆಫೀಸ್
ಹೆಡ್ ಅಕೌಂಟೆಂಟರು.

೨೪. ,, ಸುಬ್ಬಣ್ಣನವರು ತಾಲ್ಲೂಕು ಹೆಡ್ ಗುಮಾಸ್ತೇರು

೨೫. ,, ಯಂ. ಕೃಷ್ಣಪ್ಪನಾಯಕರು ಮೈಸೂರು ಸ್ಟೇಟ್ ಪೆನ್ಷನರು.

೨೬. ,, ಎ. ಸಂಜೀವಯ್ಯನವರು ರಿ॥ ಶಿರಸ್ತೇದಾರರು ಬಸವನಗುಡಿ.

೨೭. ,, ಟಿ. ಕೆ. ಸುಬ್ರಾಯರು ದಿವಾನರ ಆಫೀಸು ಕ್ಲಾರ್ಕ

೨೮. ,, ಟಿ. ಕೆ. ನೀಲಕಂಠೈಯ್ಯನವರು ಟಿಂಬರು ಮರಚಂಟ್

ಚಂದಾದಾರರು.

೨೯. ,, ಬಿ. ವೆಂಕಟನಾರಣಪ್ಪನವರು ಎಂ. ಎ.
ಫಿಜಿಕ್ಸ್ ಜ್ಯೂನಿಯರ್ ಪ್ರೊಫೆಸರ್ ಸೆಂಟ್ರಲ್ ಕಾಲೇಜ್.

೩೦. ,, ಬಿ. ಸುಬ್ಬಣ್ಣನವರು ಬಿ. ಎ., ಬಿ. ಎಲ್. ಅಡ್ವೋಕೇಟರು.

೩೧. ,, ಟಿ. ಅಪ್ಪೂರಾಯರವರು ಬಿ. ಎ., ಬಿ. ಎಲ್. ಡಿಟೋ.

೩೨. ,, ಎಸ್. ಎನ್. ಶೀತಾರಾಮರಾಯರವರು ೧ನೆ ಗ್ರೇಡ್ ಪ್ಲೀಡರ್

೩೩. ,, ಎನ್. ಸೂರಪ್ಪನವರು ೧ನೇ ಗ್ರೇಡ್ ಪ್ಲೀಡರ್

೩೪. ,, ಬಿ. ರಾಮಯ್ಯನವರು ಬಿ. ಎ.
ಮ್ಯಾನೇಜರ್ ಮುಜರಾಯಿ ಇಲಾಖಾ

೩೫. ,, ಇ. ಎಸ್. ರಾಮಸ್ವಾಮಿ ಅಯ್ಯರವರು
ಹೆಡ್‌ಕ್ಲಾರ್ಕ್. ಅಗ್ರಿಕಲ್ಚರಲ್ ಕೆಮಿಸ್ಟ್ಸ್ ಆಫೀಸು

೩೬. ,, ಪಿ. ಕೃಷ್ಣರಾಯರು ಫಾ॥ ಕನ್॥ ಆಫೀಸ್ ಹೆ॥ ಅಕೌಂಟೆಂಟರು

೩೭. ಮೆಸ್ಸರ್ ಬಿ. ನಾರಾಯಣರಾಯರು. ಫಾರೆಸ್ಟ್ ಆಫೀಸ್ ಅಕೌಂಟೆಂಟರು

೩೮. ,, ಪಿ. ಗೋವಿಂದರಾಜುಲು ನಾಯುಡುರವರು ಬಿ. ಎ. ಹೆಡ್ ಕ್ಲಾರ್ಕ್

೩೯. ,, ಎಸ್. ನರಸಿಂಹಯ್ಯಂಗಾರ್ರು ಬಿ. ಎ. ಡೆಪ್ಯುಟಿಕ್ಲಾರ್ಕ್

೪೦. ,, ಯಂ. ಶಂಕರರಾಯರು ಮುಸರಾಯ್ ಬ್ಯಾಂಕ್

೪೧. ,, ಬಿ. ಹೊನ್ನಪ್ಪನವರು ಕ್ಲಾರ್ಕ್ ಮ್ಯುನಿಸಿಪಲ್ ಆಫೀಸು

೪೨. ,, ವಿನಾಯಕ ರಾಮಚಂದ್ರರಾಯರು ಶಿರಸ್ತೆದಾರರು

ರೆವಿನ್ಯೂ ಸರ್ವೆ ಸೂಪರಿಂಟೆಂಡೆಂಟರವರ ಆಫೀಸು

೪೩. ,, ದತ್ತಾತ್ರೇಯ ಕೃಷ್ಣರಾಯರು ಹುಜೂರ್ ಕಾರಕೂನ್ ಡಿಟೊ

೪೪. ,, ಬಿ. ಶೀತಾರಾಮಯ್ಯನವರು ಬಸವನಗುಡಿ

೪೫. ,, ಎಂ. ಎಲ್. ಶ್ಯಾಮೇಗೌಡರವರು, ಬಸವನಗುಡಿ ರೋಡ್

೪೬. ,, ಆದಿಮೂರ್ತಯ್ಯನವರು ತಾಲ್ಲೂಕು ಹೆಡ್ಮನಿಷೀರು

೪೭. ,, ಸುಬ್ರಹ್ಮಣ್ಯಶಾಸ್ತ್ರಿಗಳು ಪುರೋಹಿತರು.

೪೮. ,, ರಾಮಕೃಷ್ಣಶಾಸ್ತ್ರಿಗಳು ಡಿಟೋ.

೪೯. ,, ಸೊಂಡೇಕೊಪ್ಪಂ ಲಿಂಗಪ್ಪಶಾಸ್ತ್ರಿಗಳು ಡಿಟೊ.

೫೦. ,, ಬಿ. ಚನ್ನಸ್ವಾಮಿಶೆಟ್ಟರವರು ಸಾಹುಕಾರರು

೫೧. ,, ಪಿ. ಕೃಷ್ಣರಾಯರು. ಹೆಡ್ ಅಕೌಂಟೆಂಟ್ ಸ್ಪೆನ್ಸರ್ ಕಂಪೆನಿ.

೫೨. ,, ಪಿ. ವೆಂಕಟರಾಮಯ್ಯನವರು

ಪ್ರೊಪ್ರೈಟರು ದಿ ಕಾಮರ್ಸ್ ಮ್ಯೂಚುಯಲ್ ಸಿಂಡಿಕೇಟ್.

೫೩. ,, ಸನಗರಂ ಗುಂಡಪ್ಪ ಶಾಸ್ತ್ರಿಗಳವರು ರತ್ನ ವ್ಯಾಪಾರಿಗಳು

೫೪. ,, ಯಸ್. ನರಸಿಂಗರಾಯರವರು ರಿ ಶಿರಸ್ತೆದಾರರು

ದೊಡ್ಡಬಳ್ಳಾಪುರದ ಚಂದಾದಾರರು

೫೫. ,, ಬಿ. ಟಿ. ರಾಮಸ್ವಾಮಯ್ಯಂಗಾರ್ರರವರು ಬಿ. ಎ. ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರ್

೫೬. ,, ಬಿ. ವೆಂಕಪ್ಪಯ್ಯನವರು ಕ್ಲಾರ್ಕ್ ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರ್ಸ್ ಆಫೀಸ್.

೫೭. ,, ಅರುಣಾಚಲಶಾಸ್ತ್ರಿಗಳು ತಾಲ್ಲೂಕು ಹೆಡ್ಮನಿಷೀರು

೫೮. ,, ಡಿ ಕೊಂಗಾಡಿಯಪ್ಪನವರು ಹೆಡ್ಮಾಸ್ಟರು.

ಮಾಗಡಿ ಚಂದಾದಾರರು

೫೯. ,, ಯಂ. ಮಾಧವರಾಯರು ಹೆಡ್ ಗುಮಾಸ್ತೇರು

ಕ್ಲೋಸ್‌ಪೇಟೆ ಚಂದಾದಾರರು

೬೦. ,, ಬಕ್ಷ ಜಾಳಾಜೀರಾಯರು ಲ್ಯಾಂಡ್ ಲಾರ್ಡ್.

೬೧. ಮಿಸ್ಟರ್ ಶಂಕರರಾಯರು ಜ್ಯುಡಿಷಿಯಲ್ ಗುಮಾಸ್ತರು.

೬೨. ,, ಎ. ಲಕ್ಷ್ಮೀಪತಿ ಶಾಸ್ತ್ರಿಗಳವರು ಗುಮಾಸ್ತೇರು

೬೩. ,, ಲಕ್ಷ್ಮೀನರಸಯ್ಯನವರು ಶ್ಯಾನುಭೋಗರು ಸುಗ್ಗನಹಳ್ಳಿ

ನೆಲಮಂಗಲದ ಪೋಷಕರು

೬೪. ,, ಡಿ. ವೆಂಕಟಾಚಲಯ್ಯನವರು ಹೆಡ್ ಗುಮಾಸ್ತರು

೬೫. ,, ಎಸ್. ಪಟ್ಟಾಭಿರಾಮಯ್ಯನವರು ಡೆಪ್ಯುಟಿ ಗುಮಾಸ್ತೇರು

ಚಂದಾದಾರರು

೬೬. ,, ಎ. ನರಸಿಂಗರಾಯರವರು ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರ್

೬೭. ,, ಹಂಚೀಪುರದ ರಾಮಭಟ್ಟರು. ಜೋಡಿದಾರರು

೬೮. ,, ಹೆಚ್. ನಂಜಪ್ಪನವರು ಗುಮಾಸ್ತೇರು

ದೇವನಹಳ್ಳಿ ಪೋಷಕರು

೬೯. ,, ಕೆ. ನಾರಾಯಣ ಅಯ್ಯರವರು ಅಮಲ್ದಾರರು.

೭೦. ,, ಎಚ್ ಕೃಷ್ಣಪ್ಪನವರು ಸಾಹುಕಾರರು.

೭೧ ,, ಯಮ್. ಲಕ್ಷ್ಮೀನಾರಣಪ್ಪನವರು ಕಂಟ್ರಾಕ್ಟರು ವಡಿಗೇನಹಳ್ಳಿ

ಚಂದಾದಾರರು.

೭೨. ,, ಡಿ. ಶ್ರೀಕಂಠರಾಯರು ಸಾಹುಕಾರರು

೭೩. ,, ಸಂಡಿಗಿ ದೀಕ್ಷಿತರು. ಅಯುರ್ವೇದ ವೈದ್ಯಶಾಲಾಧ್ಯಕ್ಷರು

೭೪. ,, ಚಿತ್ತೂರು ಮುನಿಯಪ್ಪನವರು ಮರ್ಚೆಂಟ್

ಕೋಲಾರದ ಪೋಷಕರು

೭೫ ,, ಟಿ. ಸುಬ್ಬರಾಮ ಅರಸಿನವರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಟ್ರೆಜರರು

೭೬. ,, ಕೆ. ರಾಮಕೃಷ್ಣಯ್ಯರವರು ಪ್ಲೀಡರು,

೭೭. ,, ಜಿ. ಕೆ. ಮಾಧವರಾಯರು ಪೋಲೀಸ್ ಇನಸ್ಪೆಕ್ಟರು

೭೮. ,, ಬಿ, ಯಸ್. ಶೇಷಾದ್ರಿ ಅಯ್ಯರವರು ಲಾಕಪ್ ದಫೇದಾರರು

೭೯. ,, ಮಾಲೂರು ಶಂಕರಯ್ಯನವರು ಸಾಹುಕಾರರು

೮೦. ,, ರಾಮಚಂದ್ರಪ್ಪನವರು, ಜೋಡಿದಾರರು ಶೆಟ್ಟಿ ಕೋಟೆ

ಚಂದಾದಾರರು

೮೧. ,, ಪಕ್ಕಲಗಂಟಿ ಪರವಪ್ಪನವರು ಷಾಪ್‌ಕೀಪರು

ಶ್ರೀನಿವಾಸಪುರ ಪೋಷಕರು

೮೨. ಮೆಸ್ಸರ್ಸ್ ಕೋಲಾರದ ಶ್ರೀಕಂಠಯ್ಯನವರು ಹೆಡ್ ಗುಮಾಸ್ತೇರು

೮೩. ,, ಎಸ್. ವಿ. ತುಳಸೋಜಿರಾಯರು ಡೆ॥ ಮುನಷೀರು

೮೪. ,, ಎಂ. ನರಸಿಂಹಮೂರ್ತಿರಾಯರು ಏಜೆಂಟ್ ಬಾಂಡೆಡ್ ಡಿಪೋ

ಮಾಲೂರು ಪೋಷಕರು.

೮೫. ,, ಬಿ. ಕೇಸರಸಿಂಗ್ ರವರು ಅಮಲ್ದಾರರು.

ಚಿಂತಾಮಣಿಪೋಷಕರು.

೮೬. ,, ಎಂ. ಎಸ್. ನಾರಾಯಣರಾಯರವರು ಶಿರಸ್ತೇದಾರರು

೮೭. ,, ಎ. ನಂಜಪ್ಪನವರು ನಗದಿ ಗುಮಾಸ್ತರು

೮೮. ,, ತಿಮ್ಮರಾಯಪ್ಪನವರು ದಫ್ತರಬಂದರು

೮೯. ,, ವೆಂಕಟರಮಣಯ್ಯನವರು ಸರಾಫರು

೯೦. ,, ಬಿ. ಜಿ. ರಾಜಾರಾಯರು ಡೆಪ್ಯುಟಿ ಮುನಷೀರು

೯೧. ,, ಮುದ್ದುಕೃಷ್ಣಪ್ಪನವರು ರಿಜಸ್ಟ್ರೇಷನ್ ಗುಮಾಸ್ತರು

೯೨. ,, ಶಿ. ಶ್ಯಾಮರಾಯರು ಅಟೆಂಡರು ಸಬ್ ರಜಿಸ್ಟ್ರಿ ಆಫೀಸ್

೯೩. ,, ಎ. ವೆಂಕಟಾಚಲಯ್ಯನವರು ಹೆಡ್ಮಾಸ್ಟರು ಗ॥ ಸ್ಕೂಲ್

೯೪. ,, ಯಗವಕೋಟೆ ಶ್ರೀನಿವಾಸಯ್ಯನವರು ಶ್ಯಾನುಭೋಗರು

೯೫. ,, ಎಂ. ಲಕ್ಷ್ಮೀನರಸಪ್ಪನವರು ನೇಟಿವ್ ಡಾಕ್ಟರು

೯೬. ,, ಕೆ. ಅರುಣಾಚಲಶೆಟ್ಟರವರು ಮಾಸ್ಟರು ಎ. ವಿ. ಸ್ಕೂಲ್

೯೭. ,, ಕೋಮರ್ಲ. ವೆಂಕಟಪ್ಪನವರು ಸಾಹುಕಾರರು

೯೮. ,, ,, ರಘುರಾಮಯ್ಯನವರು ಡಿಟೊ

೯೯. ,, ಕೋಮರ್ಲ ವೆಂಕಟರತ್ನಶೆಟ್ಟರವರು ಸಾಹುಕಾರರು

೧೦೦ ,, ಅಡಿಕೆ ಕೆಂತಪ್ಪನವರ ನಂಜುಂಡಪ್ಪನವರ ಮುನಿನಂಜುಂಡಪ್ಪನವರು ಸಾಹುಕಾರರು.

ಚಂದಾದಾರರು.

೧೦೧. ,, ತಿರುಮಲರಾಯಪ್ಪನವರು ಶ್ಯಾನುಭೋಗರು ಕೊಡತವಾಡಿ

ಶಿಡ್ಲಘಟ್ಟದ ಪೋಷಕರು.

೧೦೨. ,, ಎಂ. ಎ. ವಿಶ್ವೇಶ್ವರಯ್ಯನವರು ರೆವಿನ್ಯೂ ಗುಮಾಸ್ತೇರು.

ಚಂದಾದಾರರು.

೧೦೩. ಮೆಸ್ಸರ್ಸ್ ಎಸ್. ನಂಜುಂಡಯ್ಯನವರು ನಗರ ಗುಮಾಸ್ತರು
೧೦೪. ,, ಸೀತಾರಾಮಭಟ್ಟರು ಜೋಡಿದಾರರು ಗಂಜಿಗುಂಟೆ
೧೦೫. ,, ವೆಂಕಟೇಗೌಡರು ಪಟೇಲರು ಬಿಸ್ತ ಹೊಸಹಳ್ಳಿ

ಚಿಕ್ಕಬಳ್ಳಾಪುರದ ಪೋಷಕರು.

೧೦೬. ,, ವೈ. ನಾರಾಯಣರಾಯರು ರೇಂಜ್ ಆಫೀಸರು
೧೦೭. ,, ಹೆಚ್. ಸುಬ್ಬರಾಯರು ಪ್ಲೀಡರ್
೧೦೮. ,, ಸೂರಪ್ಪನವರು ಕೋರ್ಟ ಡಿಟೋ
೧೦೯. ,, ಕೆ. ಸುಬ್ರಹ್ಮಣ್ಯಯ್ಯನವರು ಡಿಟೊ
೧೧೦. ,, ಎಂ. ಪುಟ್ಟೂರಾಯರು ೧ನೇ ಗ್ರೇಡ್ ಪ್ಲೀಡರು
೧೧೧ ,, ದೇವಾಂಗದ ಶೆಟ್ರು ನಾಗಣ್ಣನವರ ಪಿಳ್ಳಪ್ಪ ಶೆಟ್ರು
೧೧೨. ,, ಎಂ, ವೆಂಕಯ್ಯನವರು ಜೋಡಿದಾರರು ಬಂಡಹಳ್ಳಿ
೧೧೩. ,, ವೈದ್ಯ ಅಬ್ಬಪ್ಪನವರ ಸೂರಪ್ಪನವರು

ಗೌರಿಬಿದನೂರು ಪೋಷಕರು.

೧೧೪. ,, ಸಿ. ಆರ್. ಸುಬ್ರಾಯರು ಹೆಡ್ಮುನಷೀರು
೧೧೫. ,, ಎಂ. ರಾಮಣ್ಣನವರು ಪೋಲಿಸು ದಫೇದಾರರು
೧೧೬. ,, ನಾಮ, ಚಿ॥ ಕೊ॥ ವೆಂಕಟಪ್ಪನವರು ಸಾಹುಕಾರರು

ಚಂದಾದಾರರು.

೧೧೭. ,, ಎಂ. ದಕ್ಷಿಣಾಮೂರ್ತಿ ಪೋಲಿಸು ದಫೇದಾರರು ತೊಂಡೇಭಾವಿ

ತುಂಕೂರು ಚಂದಾದಾರರು.

೧೧೮. ,, ಹೇಮಾ ಹನುಮಂತಯ್ಯನವರು ರಿ॥ ಅಸಿಸ್ಟೆಂಟು ಕಮಿಷನರು
೧೧೯. ,, ಹೆಚ್. ಎನ್. ವೆಂಕಟರಮಣಯ್ಯನವರು ಬಿ. ಎ.
ಸ್ಕೂಲ್ ಡೆಪ್ಯುಟಿ ಇನ್ಸ್ಪೆಕ್ಟರು
೧೨೦. ,, ಟಿ. ಎ. ರಾಮಯ್ಯನವರು ಡಿ॥ ರೆವಿನ್ಯೂ ಅಕೌಂಟೆಂಟರು
೧೨೧. ,, ವೈ. ಸುಬ್ರಾಯರು ೧ನೇ ಗ್ರೇಡ್ ಪ್ಲೀಡರು

ಮಧುಗಿರಿ ಪೋಷಕರು.

೧೨೨. ,, ಜಿ. ಶಿವರಾಮಯ್ಯನವರು ಪ್ಲೀಡರು ಮತ್ತು ಇನಾಂದಾರ್
೧೨೩. ,, ಎಂ. ಎಸ್. ರಾಮದಾಸಪ್ಪನವರು ಬಿ. ಎ. ಸಬ್‌ರಿಜಿಸ್ಟ್ರಾರ್

ಚಂದಾದಾರರು.

೧೨೪. ಮೆಸ್ಸರ್ಸ್ ಎಸ್. ಶ್ಯಾಮಶಾಸ್ತ್ರಿಗಳವರು ೧ನೇ ಗ್ರೇಡ್ ಪ್ಲೀಡರು

೧೨೫. ,, ಗುಂಟೂರು ರಾಮಸ್ವಾಮಿಶಾಸ್ತ್ರಿಗಳವರು ಕೋರ್ಟಗೆರೆ

ತಿಪಟೂರು ಪೋಷಕರು.

೧೨೬. ,, ತಿಮ್ಮಣ್ಣಯ್ಯನವರು ಶ್ಯಾನುಭೋಗರು

೧೨೭. ,, ಸುಂಕದ ಮಾಧವಯ್ಯನವರು ಸಾಹುಕಾರರು ಹಾಲ್ಕುರಿಕಿ

ಚಂದಾದಾರರು.

೧೨೮. ,, ಡಿ. ನಾರಣಪ್ಪನವರು ಜ್ಯುಡಿಷಿಯಲ್ ಗುಮಾಸ್ತೇರು

೧೨೯. ,, ಎಸ್. ರಾಮಸ್ವಾಮಯ್ಯರ್‌ರವರು ಪೋಲಿಸ್ ಇನ್ಸ್ಪೆಕ್ಟರು

೧೩೦. ,, ವಿದ್ವಾನ್ ಪಟ್ಟಾಭಿರಾಮಶಾಸ್ತ್ರಿಗಳು ಬಳವನೇರಳು

ತುರುವೆಕೆರೆ ಪೋಷಕರು.

೧೩೧. ,, ಟಿ. ಸ್ವಾಮಿನಾಥಶಾಸ್ತ್ರಿಗಳವರು ಬಿ. ಎ. ಅಮಲ್ದಾರರು

ಕುಣಿಗಲ್ ಚಂದಾದಾರರು.

೧೩೨. ,, ಸಾದು ಲಕ್ಷ್ಮೀನಾರಾಯಣಶಾಸ್ತ್ರಿಗಳು.

೧೩೩. ,, ಬಿ. ಗೋವಿಂದಯ್ಯನವರು ರಿ|| ಹೆಡ್ ಗುಮಾಸ್ತೇರು.

೧೩೪. ,, ಸಿ. ಅನಂತರಾಮಯ್ಯರ್‌ರವರು ಶೇಕದಾರ್ರು

ಮಂಡ್ಯದ ಚಂದಾದಾರರು.

೧೩೫. ,, ಶ್ರೀ ಕಂಠೈಯ್ಯನವರು ಶೇಕದಾರ್ರು.

೧೩೬. ,, ಟಿ. ವೆಂಕಟಗಿರಿ ಅಯ್ಯರವರು ಪೋಲೀಸ್ ಇನ್ಸ್ಪೆಕ್ಟರು

ಮದ್ದೂರು ಪೋಷಕರು.

೧೩೭. ,, ರಾಮಣ್ಣನವರು ಕಂಟ್ರಾಕ್ಟರು ಗುಮಾಸ್ತೇರುನಿಡಗಟ್ಟಾ

ಅರಸೀಕೆರೆ ಚಂದಾದಾರರು

೧೩೮. ,, ದಾಸಪ್ಪನವರು ಶ್ಯಾನುಭೋಗರು.

೧೩೯. ,, ವೆಂಕಟದಾಸಪ್ಪನವರು ಗ|| ಸ್ಕೂಲ್ ಮಾಸ್ಟರು.

ದಾವಣಗೆರೆ ಚಂದಾದಾರರು.

೧೪೦. ,, ಕೆ. ರಾಮಸ್ವಾಮಯ್ಯಂಗಾರರು ಶಿರಸ್ತೇದಾರರು.

ಶಿವಮೊಗ್ಗಾ ಪೋಷಕರು.

೧೪೧. ಮೆಸ್ಸರು ಯಸ್. ಸೀತಾರಾಮಯ್ಯನವರು ಅಡ್ವೋಕೇಟರು.

೧೪೨. ,, ಯನ್. ಶೇಷಶಾಸ್ತ್ರಿಗಳವರು ಬಿ. ಎ., ಬಿ. ಎಲ್. ಡಿಟೊ

೧೪೩. ,, ಕೆ. ಶಂಕರನಾರಾಯಣರಾಯರು ಎಂ. ಎ., ಬಿ. ಎಲ್. ಡಿಟೊ

೧೪೪. ,, ಕೆ. ಸುಬ್ಬರಾಯರವರು ಬಿ. ಎ. ಸ್ಕೂಲ್ ಅ॥ಡೆಪ್ಯುಟಿ ಇನ್ಸ್ಪೆಕ್ಟರು

೧೪೫. ,, ಬಿ. ಸಿ. ಕೇಶವಯ್ಯನವರು ರಿ॥ ಅಮಲ್ದಾರರು.

೧೪೬. ,, ಹವಾಲ್ದಾರ್. ರಾಮರಾಯರು ಪ್ಲೀಡರು.

೧೪೭. ,, ಹೆಚ್. ರಾಮಶಾಸ್ತ್ರಿಗಳು ಷಾಪ್‌ಕೀಪರು.

೧೪೮. ,, ಬಿ. ವೆಂಕಟರಾಮಯ್ಯನವರು
ಹೆಡ್‌ಕ್ಲಾರ್ಕ್ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಫಾರೆಸ್ಟು ಆಫೀಸು.

೧೪೯. ,, ಬಿ. ಯನ್. ಸುಬ್ಬರಾಯರು

೧೫೦. ,, ಅಜ್ಜಂಪುರದ ದ್ಯಾವರಸೈಯ್ಯನವರು.

ಚಂದಾದಾರರು.

೧೫೧. ,, ಸಿ. ಗುಂಡಪ್ಪನವರು ರಿ॥ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಟ್ರೆಜರರು.

೧೫೨. ,, ಬಿ. ನರಸಿಂಹಯ್ಯನವರು ಹೆಡ್ಮುನಷೀರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಕೋರ್ಟು

೧೫೩. ,, ಅಂಬಳೆ ನರಸಿಂಹಯ್ಯನವರು. ೩ನೆ ಮುನ್ಷೀರು ಡಿಟೋ.

೧೫೪. ,, ಹೆಚ್. ಚಲುವಯ್ಯನವರು ಮುನಷೀರು ಡಿಟೋ.

೧೫೫. ,, ಎಸ್. ರಾಮಕೃಷ್ಣಯ್ಯನವರು ಅಕೌಂಟೆಂಟ್ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಟ್ರೆಜರಿ.

೧೫೬. ,, ಕೆ. ಕೃಷ್ಣಜೋಯಿಸರು. ಅಸಿಸ್ಟೆಂಟ್ ಮಾಸ್ಟರು ಎ. ವಿ. ಸ್ಕೂಲ್

೧೫೭. ,, ವೆಂಕಟರಾಯರು ಶೇಕದಾರರು ಹಿರಿಕೆರೆ.

೧೫೮. ,, ಜಿ. ಕೇಶವಮೂರ್ತಿರಾಯರು ಶ್ಯಾನುಭಾಗರು.

೧೫೯. ,, ಹಿರಿಕೇರೂರು. ಶಿವರಾಮಶಾಸ್ತ್ರಿಗಳು
ರಿಕಾರ್ಡ್‌ಕೀಪರು ಇಂಜನಿಯರ್ಸ್ ಆಫೀಸು.

೧೬೦. ,, ಎಸ್. ನಾರಾಯಣರಾಯರು ಪ್ಲೀಡರು.

೧೬೧. ,, ಬಿ. ಗುರುನಂಜುಂಡಯ್ಯನವರು.

೧೬೨. ,, ಸೂರಧಿ ಸ್ವಾಮಿರಾಯರವರು

೧೬೩. ,, ನಗರದ ಲಕ್ಷ್ಮೀನಾರಣಪ್ಪನವರು

೧೬೪. ,, ರಾಮಚಂದ್ರ ಗಣೇಶರಾಯರು ಸರ್ವೇಯರು

೧೬೫. ,, ಕೆ. ಲಕ್ಷ್ಮೀನಾರಾಯಣರಾಯರು ಪೋಲೀಸ್ ಜಮಾದಾರರು

೧೬೬. ,, ಹಿರಿಯೂರು ನಾಡಿಗ ಸೀತಾರಾಮಯ್ಯನವರು ಬೆಂಕಿಪುರ

ಸೊರಬದ ಚಂದಾದಾರರು.

೧೬೭. ಮೆಸ್ಸರು ನರಸಿಂಹ ಜೋಯಿಸರು ಸರಾಫ್‌ರು

ಶೀರ್ಷಹಳ್ಳಿ . ಪೋಷಕರು.

೧೬೮ ಶ್ರೀ॥ ಶ್ರೀ॥ ಶ್ರೀಮತ್ಪರಮಹಂಸ ಪರಿವ್ರಾಜಕಾಚಾರ್ಯೇತ್ಯಾದಿ ಬಿರುದಾಂಕಿತ
ರಾದ ಶ್ರೀಮದಭಿನವ ಶ್ರೀ ಕೃಷ್ಣಾನಂದತೀರ್ಥಸ್ವಾಮಿಗಳವರು
ಮುಳಬಾಗಿಲಮಠ. (ಪ್ರತಿ ೨)

೧೬೯. ಮೆಸ್ಸರು ಕಿತ್ತಂದೂರು ತಿಮ್ಮಣ್ಣಭಟ್ಟರವರು ಸಾಹುಕಾರರು

೧೭೦. „ ಯಡಿಯೂರು ಭಾಸ್ಕರಜೋಯಿಸರು ಡಿಟೊ

೧೭೧. „ ಶೀರನಹಳ್ಳಿ ಪರಮೇಶ್ವರಭಟ್ಟರವರು ಡಿಟೊ

೧೭೨. „ ಮೇಗರವಳ್ಳಿ ಅಪ್ಪೂಭಟ್ಟರವರು ಡಿಟೊ
ಡಿಟೋ ಶೇಷಭಟ್ಟರವರು ಡಿಟೊ

೧೭೩. „ ಹೆಚ್. ಎಸ್. ಕೃಷ್ಣಪ್ಪನವರು. ಫಾರೆಸ್ಟು ರೇಂಜ್ ಆಫೀಸರು

೧೭೪. „ ಅಪ್ಪಣ್ಣಭಟ್ಟರವರು ಪಾರುಪತ್ಯೇಗಾರರು ತೀರ್ಥಮತ್ತೂರು ಮಠ

೧೭೫. „ ದುರ್ಗಾಭಟ್ಟರವರು ರಾಮೇಶ್ವರ ದೇವಸ್ಥಾನ

ಚಂದಾದಾರರು.

೧೭೬. „ ಆರಗದ ಕಟ್ಟೆ ಹುಚ್ಚೂರಾಯರು

೧೭೭. „ ಡಿಟೋ ಮಹಾಬಲ ಭಾರತಿಗಳು

೧೭೮. „ ಡಿಟೋ ಡಿ. ನಾಗಪ್ಪನವರು

೧೭೯. „ ಡಿಟೋ ನಗರದ ಮಹಾಬಲ ಜೋಯಿಸರು

ನಗರದ ಪೋಷಕರು.

೧೮೦. „ ಸುಬ್ರಾಯರ ಮಕ್ಕಳು ತಿಮ್ಮಣ್ಣಯ್ಯನವರು
ಸಾಹುಕಾರರು ಕಬ್ಬಿಸಾಳು ಅರಮನೆ ಕೊಪ್ಪ.

ಹೊನ್ನಾಳಿ ಪೋಷಕರು

೧೮೧. „ ನಾಡಿಗ ಗೋಪಾಲಯ್ಯನವರು ಚಟ್ನನಹಳ್ಳಿ

೧೮೨. „ ಹೆಚ್. ರಾಮರಾಯರು ಹೆಡ್ ಗುಮಾಸ್ತೇರು

ಶಿಕಾರಿ ಪುರದ ಪೋಷಕರು.

೧೮೩. „ ಹೆಚ್. ವೆಂಕಟನರಸಯ್ಯನವರು ಅಮಲ್‌ದಾರರು

೧೮೪. ಮೆಸ್ಸರು ಹೆಚ್. ಗಂಗಾಧರರಾಯರು ಸಬ್ ಅಸಿಸ್ಟೆಂಟ್ ಸರ್ಜನ್

೧೮೫. ,, ಎಸ್. ಕೃಷ್ಣಪ್ಪನವರು ಟಿ|| ಅಮಲ್ದಾರರು

೧೮೬. ,, ಸಾಲೂರು ಭವಾನಿರಾಯರು ಸಾಹುಕಾರರು

೧೮೭. ,, ಲಿಂಗಾಜೋಯಿಸರು ಮಠಮುದ್ರೆ

ಚನ್ನಗಿರಿ ಪೋಷಕರು.

೧೮೮. ಮೆಸ್ಸರ್ ಎಸ್. ಎಕ್. ಶ್ರೀನರಸಿಂಹ ಶಾಸ್ತ್ರಿಗಳವರು ಅಮಲ್ದಾರರು.

ಚಿಕ್ಕಮಗಳೂರು ಪೋಷಕರು.

೧೮೯ ,, ಎ. ಸುಬ್ರಹ್ಮಣ್ಯ ಅಯ್ಯರ್‌ರವರು ಡೆಪ್ಯುಟಿಕಮಿಷನರವರು.

೧೯೦ ,, ಬಿ. ಯಂ. ವೆಂಕಟೇಶ್ಶಯ್ಯನವರು ರೆವಿನ್ಯೂ ಸಿರಸ್ತೇದಾರರು.

೧೯೧ ,, ಯು. ಎಸ್. ಶಿವರಾಯರು ಅಡ್ವೋಕೇಟರು.

೧೯೨ ,, ಅರಗಂ ಶೇಷಾಚಲಯ್ಯನವರು ಪ್ಲೀಡರು.

೧೯೩ ,, ಹೆಚ್. ವಿ. ದಾಸಪ್ಪನವರು ಮ್ಯುನಿಸಿಪಲ್ ಓವರ್ಸಿಯರು.

೧೯೪ ,, ಮೈಸೂರು ಲಚ್ಚಯ್ಯಶೆಟ್ರುವರು ಸಾಹುಕಾರರು

೧೯೫ ,, ಡಿಟೊ ಕೃಷ್ಣಶೆಟ್ರುವರು ಕಾಫಿಪ್ಲಾಂಟರು

೧೯೬ ,, ಡಿಟೊ ನರಸಿಂಹ ಶೆಟ್ರುವರು ಮರ್ಚೆಂಟು

೧೯೭ ,, ತರೀಕೆರೆ ನಾಗಣ್ಣಶೆಟ್ಟರವರು ಕಾಫಿಪ್ಲಾಂಟರು

೧೯೮ ,, ಸಿ. ಗುಂಡಪ್ಪನವರು ತಾಲ್ಲೂಕು ರಿಕಾರ್ಡುಕೀಪರು

೧೯೯ ,, ಕೆ. ವೆಂಕಟರಾಮಯ್ಯನವರು ಟ್ಯಾಂಕ್ ಇನ್ಸ್ಪೆಕ್ಟರು

ಚಂದಾದಾರರು

೨೦೦ , ಎಸ್. ಮಂಜಯ್ಯನವರು ಪ್ಲೀಡರು

೨೦೧ ,, ಯಸ್. ಸುಬ್ಬರಾಯರವರು ತಾಲ್ಲೂಕ್ ಶಿರಸ್ತೇದಾರರು

೨೦೨ ,, ಬಿ. ಕೇಶವಯ್ಯನವರು ಲ್ಯಾಂಡ್‌ಲಾರ್ಡ್

೨೦೩ ,, ಎ. ವಿ. ಕೃಷ್ಣಪ್ಪನವರು ತಾಲ್ಲೂಕು ಸರಾಫರು

೨೦೪ ,, ಸಾಂಬಯ್ಯನವರು ಕೇಶವಯ್ಯನವರು ಅಂಬಳೆ

೨೦೫ ,, ಶಂಕರಯ್ಯನವರು ಏಜಂಟ ಕೊಪ್ಪಹಳ್ಳಿ

೨೦೬ ,, ನರಹರಿ ಪುರಾಣೀಕರು ಪಟೇಲರು ಕೊಪ್ಪಹಳ್ಳಿ.

೨೦೭ ,, ವೆಂಕಟದಾಸಪ್ಪನವರು ಪಟೇಲರು ಬೆಳವಾಡಿ.

ಕೊಪ್ಪ ಪೋಷಕರು.

೨೦೮ ,, ಬಿ. ಭೀಮರಾಯರವರು ಅಮಲ್ದಾರರವರು

ಕಡೂರು ಚಂದಾದಾರರು

೨೦೯ ಮೆಸ್ಸರ್ಸ್ ಸಿ. [illegible] ನಾಯಡುರವರು
೨೧೦ ,, ಬಿ. ವಿಸ್ತ್ರಪ್ಪಯ್ಯನವರು ಜ್ಯುಡಿಷಿಯಲ್ ಗುಮಾಸ್ತರು
೨೧೧ ,, ಎಂ. ಲಿಂಗಣ್ಣಯ್ಯನವರು ಕ್ಲಾರ್ಕ್ ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರ್ ಆಫೀಸು

ಬೀರೂರು ಪೋಷಕರು.

೨೧೨. ,, ಟಿ. ಸಣ್ಣಯ್ಯಂಗಾರರು ಸಾಹುಕಾರರು ಮತ್ತು ಜಮೀನ್ದಾರರು
೨೧೩. ,, ನಾಡಿಗರು ರಾಮಣ್ಣನವರು.
೨೧೪. ,, ವೆಂಕಟನಾರಣಪ್ಪನವರು ಶ್ಯಾನುಭಾಗರು
೨೧೫. ,, ಹಾಜಿಸುಂಕದ ಕಟ್ಟೆ ಹೊನ್ನಪ್ಪನವರು
೨೧೬. ,, ಕೇ. ನರಸುಹ್ಮಯ್ಯನವರು ಅಮೃತ ಮಹಲ್ ರೈಟರು

ತರಿಕೆರೆ ಪೋಷಕರು.

೨೧೭. ,, ಪಿ. ಸುಬ್ಬರಾಯರವರು ಬಿ. ಎ. ಬಿಲ್. ಅಮಲ್ದಾರರವರು
೨೧೮. ,, ಮಸ. ಸುಬ್ರಾಯರು ಸಾಹುಕಾರರು.
೨೧೯. ,, ಅತ್ತಿಸೂರು ರಾಮರಾಯರು ಡಿಟೊ.
೨೨೦. ,, ವೆಂಕಟದಾಸಪ್ಪನವರು ಶ್ಯಾನುಭಾಗರು ದೇವರನಾಳು

ಚಂದಾದಾರರು.

೨೨೧. ,, ಬಿ. ನಂಜುಂಡಯ್ಯನವರು ಹೆಡ್ ಗುಮಾಸ್ತರು
೨೨೨. ,, ಅಜ್ಜಂಪುರದ ರಾಮಪ್ಪನವರು ಸಾಹುಕಾರರು.

ಮೂಡಗೆರೆ ಪೋಷಕರು.

೨೨೩ ,, ಕಳಸಪ್ಪನವರು ಶ್ಯಾನುಭಾಗರು ಮಾವಿನಕೆರೆ
೨೨೪ ,, ಕಾಶೀಭಟ್ಟರ ಮಕ್ಕಳು ರಾಮಭಟ್ಟರವರು ಕರೀಮನೆ

ಶೃಂಗೇರಿ ಪೋಷಕರು.

೨೨೫ ,, ಸೋಮಸೀಠಿಸುಬ್ರಹ್ಮಣ್ಯ ಭಟ್ಟರವರು

ಚಂದಾದಾರರು.

೨೨೬ ,, ಹೆಚ್. ಕೃಷ್ಣಶಾಸ್ತ್ರಿಗಳು ಬಿ. ಎ. ಮ್ಯಾನೇಜರು
೨೨೭ ,, [illegible] ಗ್ರಾಫಿಕ್ [illegible] ನೀಲಗಿರೀಸ್.
೨೨೮ .. ಕೆ. ಸುಬ್ಬರಾಯರವರು ವರಸ್ಕೋದಾರರು ಚಿತ್ರದುರ್ಗ
೨೨೯ ,, ಎಚ್. ಸುಬ್ಬರಾಯರವರು ಪ್ಲೀಡರು ಚಿತ್ರದುರ್ಗ

೨೩೦ ,, ಜಿಡ್ರೆ. ಅನಂತನಾಯಕರು ಸಾಹುಕಾರ್ರು ಹರಿಹರ.

೨೩೧ ,, ಹೆಚ್. ಶೇಷಪ್ಪನವರು ಶ್ಯಾನುಭೋಗರು ಹೊರಕೆರೆ ದೇವರಪುರ

೨೩೨ ,, ಬಾಳೇಮನೆ ನಾರಣಭಟ್ಟರು ಕಾಡುಕುಕ್ಕೆ ಗ್ರಾಮ ಕಾಸರಗೋಡು ದ-ಕನ್ನಡಜಿಲ್ಲಾ

ಪಾವಗಡ ಪ್ರೋಷಕರು

೨೩೩ ,, ಯಂ. ಪಿ. ನರಸಿಂಹಾಚಾರ್ಯರು ಸಬ್ ಅಸಿಸ್ಟೆಂಟ್ ಸರಜನ್

೨೩೪ ,, ಜಿ. ಆಂಜನೇಯಶೆಟ್ರು ಸಾಹುಕಾರರು

೨೩೫ ,, ವೆಂಬಾರ್ ವೆಂಕಟನರಸಿಂಹಾಚಾರ್ಯರು ಜೋಡಿದಾರರು

೨೩೬ ,, ಸ್ಕೂಲ್ ಚಿಕ್ಕ ರಂಗಪ್ಪನವರು ಮರಚೆಂಟು

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ನ್ಯಾಯಾಂಗ

OF

HINDOO LAW

BY

THOMAS LUMISDEN STRANGE. ESQ.
JUDGE OF THE HIGH COURT OF JUDICATURE AT MADRAS.

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TRANSLATED INTO CANARESE,
WITH THE PERMISSION OF HIS HONOR THE COMMISSIONER OF MYSORE

BY

B. BASHIACHARY

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ಹಿಂದೂ ಧರ್ಮಶಾಸ್ತ್ರ ಸಂಗ್ರಹವು.

ಮದರಾಸಿನ ಶ್ರೀಕೋರ್ಟಿನ ಜಡ್ಜಿಯವರಾದ

ಂಸ್ ಡರ್ ಸ್ಟ್ರೇಂಜಿ ಸಾಹೇಬರವರಿಂದ

ಇಂಗ್ಲೀಷಿನಲ್ಲಿ ರಚಿಸಲ್ಪಟ್ಟ

ಈ ಗ್ರಂಥವು,

ಘನವನ್ನು ಹೊಂದಿದ

ಮೈಸೂರು ಕಮ್ಮಿಷನರ್ ಸಾಹೇಬ್ ಬಹದೂರವ

ಅಪ್ಪಣೆಯಮೇರೆ

ಭಾ. ಭಾಷ್ಯಾಚಾರ್ಯರಿಂದ

ಕನ್ನಡದಲ್ಲಿ ತರ್ಜುಮೆ ಮಾಡಲ್ಪಟ್ಟಿತು.

ಬೆಂಗಳೂರು.

ಕರ್ನಾಟಕಮುದ್ರಾಕ್ಷರಶಾಲೆಯೊಳಗೆ

ಮುದ್ರಿಸಲ್ಪಟ್ಟಿತು.

೧೮೬೬

PREFACE.

In preparing the subjoined Manual of Hindoo Law I have followed chiefly the work of my father Sir Thomas Strange, entitled originally "Elements of Hindu Law." My father's work being the standard authority in our Courts, and having fallen out of print, it became a question with me whether to publish it or to put forth such a manual as I have now drawn up. I decided in favour of the latter course with the view of representing the results of my father's labours in a cheap and compendious form, together with such additional materials as the working of our Courts since his time have furnished. I have not however adopted my father's conclusions blindly and without investigation, and where I have seen reason to differ from opinions arrived at by him, I have not hesitated to adopt what have appeared to me the true solutions. The occasions however on which I have had thus to differ are but rare.

To obtain all available light on the subject, and to omit the treatment of no question on which difficulties may have arisen,* I have consulted all treatises upon the law in the library of the Sudr Udalut, as well as all records of the Court, embracing the official opinions of the Pundits of the Sudr Udalut and of the late provincial dna Zillah Courts, the decisions that have been passed

by Her Majesty in Privy Council, those of the Sudr Uladut, and printed decrees of the Enropean tribunals in the Provinces. I have also had repeated interviews with the Pundits of the Sudr Udalut who have assisted me greatly in the determination of doubtful points, furnishing me with original authorities, and reviewing what I have put together. The section I have prepared on the law of Nepotism prevailing on the Western Coast has been drawn up mainly from materials obtained from the chief judicial officers there located. I have also had personal familiarity with that branch of law.

I offer the work in the hope that it may prove a correct, easy and useful guide to the Courts in their dispensation of the law of the Hindoos, and to place it within reach of the native tribunals, as well as of suitors and of the Hindoo community at large, translations thereof will be prepared in the Tamil and Teloogoo languages.

పీఠికె.

"ఎలిమెంట్స్ ఆఫ్ హిందూలా" యెంబ హెసరిట్టు నమ్మ తందెగళాద సర్ థామస్ స్ట్రేంజియవరు మాడిద గ్రంథవన్ను ముఖ్యవాగి అనుసరిసి యీ ధర్మశాస్త్రసంగ్రహవన్ను మాడిదెను. నమ్మ తందెగళు మాడిద గ్రంథవు నమ్మ న్యాయస్థానగళల్లి ప్రమాణవాగి గ్రహిసల్పట్టు బళసల్పడువదరిందలూ, ఆ గ్రంథ బారిబారిగూ ఛాపిసల్పడదే హోదద్దరిందలూ అదన్ను ఛాపిసతక్కద్దో అథవా యీగ నాను రచిసి యిరువ ప్రకార ఒందు సంగ్రహవాద గ్రంథవన్ను మాడి ప్రకటమాడతక్కద్దో యెంబ శంకితనాదెను. నమ్మ తందెగళవర పరిశ్రమవన్నూ అవర కాలక్కె తరువాయ న్యాయస్థానగళల్లి నడదుబంద వ్యవహారగళ తీర్పుగళన్నూ సహాయపడిసికొండు ఆ విషయగళన్ను సేరిసి సులభాశ్రయవాద సంగ్రహ గ్రంథ ఒందు మాడతక్కద్దెంబదాగి కడెగె నిశ్చయిసికొండెను. ఆదాగ్యూ నమ్మ తందెగళు నిర్ణయిసిద్దే సరి యెందు కణ్ణుముచ్చికొండు పరిశీలనే మాడదె ఒప్పికొండవనల్లవు. నసగె కాణబంద న్యాయవన్ను కురితు నమ్మ తందెగళ తాత్పర్యగళిగె నన్న తాత్పర్యగళు భేదిసిద స్థళదల్లి నసగె తోరిద సిద్ధాంతవు సంకోచిసదె నిర్ణయిసిదెను. ఆదాగ్యూ నసగె యింతా తాత్పర్యభేదవు యెల్లియో కెలవు సంగతిగళల్లి హుట్టి యిరుత్తదె.

ఈ విషయదల్లి ఉపయుక్తవాద జ్ఞానవన్ను సంపాదిసబేకెంతలూ కఠిణగళాద శాస్త్రాంశగళన్ను బిడదె చన్నాగి వివరిసబేకెంతలూ తోరి సదరదాలత్ కోర్టినవర పుస్తకశాలెయో-

పీఠికె.

తగెయిరువ సకల ధర్మశాస్త్రగళన్నూ పరిశీలనెమాడి సదరదాలత్ కోర్టు ప్రొవిన్షియల్ కోర్టు జిల్లాకోర్టు యివుగళ పండితరు తమ్మ అధికార స్థానగళల్లి బరదుకొట్ట అభిప్రాయగళన్నూ హిజ్ మేజస్టీ ప్రివీకౌన్సిల్లవరు మాడిద ఫైసలుగళూ సదరదాలత్ కోర్టినవర ఫైసల్ గళూ, హొరగణ శీమెయల్లి యూరోపియన్ న్యాయాధిపతిగళింద ఫైసలాగి ఛాపిసల్పట్ట తీర్పుగళూ వుళ్ళ సమస్త గ్రంథవన్నూ ఆలోచిసిదెను. ఇదల్లదె సదరదాలత్ కోర్టిన పండితరొడనె బారిబారిగూ యీ శాస్త్ర విషయమొళగె చర్చిసుత్త బరువల్లి అవరు ననగె సంశయనివర్తియాగువంతె నన్న గ్రంథ రచనెగె బహళ సహాయవాగి ధర్మశాస్త్రదల్లి మూల ప్రమాణ వుదాహరిసి నాను మాడిద గ్రంథవన్ను పరిశోధిసిదరు. పశ్చిమ సముద్రప్రాంత దేశదల్లి సల్లుతిరువ మరుమక్కళ దాయవెంబ నియమవన్ను ఆదేశదల్లి ముఖ్యరాద న్యాయాధిపతిగళు హేళిద విషయగళన్ను తిళిదుకొండు యిదన్ను బరెదెను. ఇదల్లదె యీ శాస్త్రాంశదల్లి ననగూ అనుభవ వుంటు.

ఈగ హిందూధర్మశాస్త్రవన్ను సల్లిసువ న్యాయస్థానగళవరిగె యీ గ్రంథ నిర్దుష్టవాగియూ, సుబోధవాగియూ, ఉపయుక్తవాగియూ, యిరువదెంబ కోరికెయింద ప్రచురమాడుత్తేనె. హిందుగళాద న్యాయాధిపతిగళిగూ వాదిప్రతివాదిగళిగూ సాధారణవాగి సమస్త హిందుగళిగూ వినియోగిసువబగ్యె ఆంధ్ర ద్రవిడ భాషెగళల్లి ప్రకటవాగి యిరుత్తదె.

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೩. ಪುತ್ರಸ್ವೀಕಾರ. ೨೮
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೧೦. ದಾಯಭಾಗ. ೯೮
೧೧. ದಾಯಾಧಿಕಾರ. ೧೨೬
೧೨. ಬಂಗಾಳಾ ಶಾಸ್ತ್ರಸಂಪ್ರದಾಯ. ... ೧೫೨
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EXPLANATION OF ABBREVIATIONS.

Where figures are given, thus I. 315, the work referred to is Sir Thomas Strange's elements of Hindu Law.

Where the letters C, S and E are appended to such figures the names of Colebrooke, Sutherland and Ellis are intended as special authorities cited in the above work.

S. D. A.—the Sudr Dewany Udawlut of Bengal.

S. U.—Sudr Adalut of Madras.

Prol. Ct. N. D.; S. D.; C. D. and W. D.—the late Provincial Courts of the Northern. Southern. Centre or Western Division.

Z. Ct.—late Zilla Court.

C. Ct.—Civil Court.

Sub. Ct.—Subordinate Court.

Pro.—Proceedings.

C. O.—Circular Order.

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ಪುಸ್ತಕಗಳು.

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೧. ೩. ೨೨೫. ... ... ಈ ಮೇರೆ ಬರೆಯಲ್ಪಟ್ಟ ಅಂಕೆಗಳು ಸರ್ ಥಾಮಸ್ ಸ್ಟ್ರೇಂಜಿಯವರ "ಯೆಲಿಮೆಟ್ಸ್ ಆಫ್ ಹಿಂದೂಲಾ" ಯೆಂಬ ಗ್ರಥದಲ್ಲಿ ಪುಸ್ತಕಸಂಖ್ಯೆ ಪುಟ ಸಂಖ್ಯೆಗಳಿಗೆ ಜ್ಞಾಪಕವು.

ಕೋ. ... ... ಕೋಲ್ ಬ್ರೂಕ್ ಯೆಂಬವರು.

ಸ. ... ... ಸದರ್ ಲ್ಯಾಂಡ್ ಯೆಂಬವರು.

ಎ. ... ... ಎಲ್ಲಿಸ್ ಯೆಂಬವರು.

ಬಂ. ಸ. ದಿ. ಅ. ... ಬಂಗಾಳೆ ಸದರ್ ದಿವಾನೀ ಅದಾಲತ್.

ಸ. ಅ. ... ... [ಮದರಾಸ್] ಸದರ್ ಅದಾಲತ್.

ಉ. ಖಂ. ಪ್ರೊ. ಕೋ. ಉತ್ತರಖಂಡ ಪ್ರೊವಿನ್ಶಿಯಲ್ ಕೋರ್ಟು.

ದ. ಖಂ. ಪ್ರೊ. ಕೋ. ದಕ್ಷಿಣಖಂಡ ಪ್ರೊವಿನ್ಶಿಯಲ್ ಕೋರ್ಟು.

ಪ. ಖಂ. ಪ್ರೊ. ಕೋ. ಪಶ್ಚಿಮಖಂಡದ ಪ್ರೊವಿನ್ಶಿಯಲ್ ಕೋರ್ಟು.

ಜಿ. ಕೋ. ... ... ಜಿಲ್ಲಾ ಕೋರ್ಟು.

ಸಿ. ಕೋ. ... ... ಸಿವಿಲ್ ಕೋರ್ಟು.

ಸಬಾ. ಕೋ. ... ಸಬಾರ್ಡಿನೇಟ್ ಕೋರ್ಟು.

ಪ್ರೊ. ... ... ಪ್ರೊಸೀಡಿಂಗ್ಸ್.

A MANUAL
OF
HINDOO LAW.

CHAP. I.

SOURCES OF THE LAW.

Law heard and remembered.

1. The laws of the Hindoos are ascribed by them to divine origin. One portion thereof is designated *Sruti*, or that which is heard. It comprehends the Vedas, which concern chiefly religion, and are believed to be recorded in the very words of Brahma. Another portion is termed *Smruti*, or that which is remembered. It comprises the Dharma Sastra, or forensic law, and is considered to have been communicated through inspired writers (I. 315. C ; Morley I. CLXXXVIII).

Text books Glosses and Digests.

2. The *Smrutis* are thus the original text books of the law. On these, Glosses or Commentaries have appeared ; and Digests have been prepared embracing the whole system of law, or portions thereof. These two latter sources of information are termed *Vyakhyana* and *Nibandhana Grandha* (I. XI ; Morley I. CXCII).

3. The *Smrutis* are enumerated variously at 20 or 36. Of these the Institutes of Menu are of the highest authority andthe earliest in date. The work has been translated by Sir William Jones. The other *Smrutis* resemble that of Menu in form

హిందూ ధర్మశాస్త్ర సంగ్రహవు.

౧. ప్రకరణ.

శాస్త్రగళ ఉత్పత్తిక్రమవు.

౧. హిందుగళు తమ్మ శాస్త్రగళీశ్వరోక్తగళెన్నుత్తారె. అదరొళొందు భాగ శ్రుతియెన్నల్పడువదు. శ్రుతి యెందరె ధర్మశ్రవణక్కె సాధనవెందర్థవు. ఇదే వేదవు. ఇదరల్లి ముఖ్యవాగి మతవిషయగళు హేళల్పడుతవె. అదు బ్రంహ ముఖదింద హొరటు, హొరట మాతుగళేవే బరవణిగెయ మూలక యేర్పట్టివెయెందు నంబుత్తారె. మత్తొందుభాగవు స్మృతియెన్నల్పడువదు. స్మృతి యెందరె స్మరిసల్పట్టద్దెందర్థవు. ఇదరొళ్ న్యాయ స్థానగళిగె బేకాద వ్యవహారవిధిగళు హేళల్పట్టివె. స్మృతిగె ఋషిగళు ప్రవర్తకరెందెణిసుత్తారె. (౧. ౩౧౫ శ్లో; మార్లి ౧. అవతారికె ౧౮౮) శ్రుతిస్మృతిగళు.

౨. ఈ మేరె స్మృతిగళు వ్యవహారవిధిగళిగె ఆకరగళాగివె. ఇవుగళిగె వ్యాఖ్యానగళు కాణల్పడుతివె. ధర్మశాస్త్రదొళగె సర్వాంశగళన్నాగలి కెలవంశగళన్నాగలి వివరిసువ ప్రకరణ గ్రంథగళుంటాదవు. ఇవుగళన్నే నిబంధనగ్రంథగళెందు హేళుత్తారె. (౧. పీఠికె ౧౧; మార్లి ౧. అవ. ౧౯-౨) మూలగళు వ్యాఖ్యానగళు, నిబంధనగ్రంథగళు.

౩. స్మృతిగళు ౨౦ యెంతలూ ౩౬ యెంతలూ నానా విధవాగి గణిసుత్తారె. ఇవుగళొళగె మనుస్మృతి పరమప్రమాణవాగియూ ప్రాచీనవాగియూ యిరువదు. సర్ లు

and doctrine, but none are now entire but Menu's work. Menu is the authority for the earliest age, or the *Krita Yuga,* and each of the other *Yugas,* has its appropriate *Smruti.* Usage has however interfered with the precepts of the *Smrutis,* and time has rendered their language obscure. Hence the Commentaries and Digests are now looked to as the true expositories of the law (I. XII, XIII ; Morley I. CXII—CXCIV, CCI).

The five schools of Law.

4. In process of time there have been formed various schools of law, each adhering preferably to some particular commentator. There are five such schools, namely the Gouda, or that of Bengal ; the Midhila, or that of North Behar ; that of Benares ; that of the Mahratta country ; and the Drauvida school, or that of Madras. In point of doctrine these schools differ but little, with the exception of that of Bengal which stands distinguished by several peculiarities, especially in connection with the law of inheritance (Morley I. CLXXXIX—CXCI).

School of Benares and of Bengal.

5. The school of Benares is the foundation of the other three schools. Thus the interpreters of the law are found ranged under two great divisions, that of Bengal and that of Benares. In the Bengal

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ల్లియం జోన్సరవరింద ఇదు ఇంగ్లిష్ మాడల్పట్టిదే. మిశ్యాద స్మృతిగళు యివరంతెయే యేర్పాటన్నూ సిద్ధాంతవన్నూ పడెదిద్దాగ్యూ యీగలవు సమగ్రగళాగిరువవల్లవు. మనుస్మృతి కృతయుగకోస్కర యేర్పట్టద్దు. హీగే ఆయా యుగక్కె తక్క స్మృతి యేర్పట్టిరుతదే. లోకాచారవు శాస్త్రవిధిగళిగే విరుద్ధవాగిరువదరింద బరుతాలవాగి అవుగళ అర్థగళు అప్రకాశగళాదవు. ఆద్దరింద శాస్త్రార్థనిర్ణయక్కె వ్యాఖ్యానగ్రంథ, నిబంధనగ్రంథ యివుగళే ఆధారగళాగివే. (పీఠికే ౧౨. ౧౩; మార్లి ౧. అవ. ౧౯౨—౧౯౪, ౨౦౧)

శాస్త్రసంప్రదాయగళిదు.

౪. కాలక్రమదల్లి శాస్త్రక్కె బేరెబేరె సంప్రదాయగళుంటాదవు. ఆయా సంప్రదాయవు ముఖ్యవాగి ఒబ్బొబ్బ వ్యాఖ్యాతరన్ననుసరిసి ప్రవర్తిసుతదే. బంగాళా దేశదల్లి గౌడసంప్రదాయవెంతలూ, ఉత్తర బేహార్ నల్లి మైథిల సంప్రదాయవెంతలూ, కాశీ సంప్రదాయవెంతలూ, మహారాష్ట్రదేశదొళగే మహారాష్ట్రసంప్రదాయవెంతలూ, చెన్నపట్టణ సీమెయొళగే ద్రవిడ సంప్రదాయవెంతలూ సంప్రదాయగళయిదుంటాదవు. సిద్ధాంతదొళగీసంప్రదాయగళిగే పరస్పర అష్టుభేదవిరువదిల్ల. గౌడ సంప్రదాయదొళగెమాత్ర సిద్ధాంతభేదగళనేక హుట్టిగవు. ముఖ్యవాగి దాయభాగదల్లి విశేష భేదవేర్పట్టిదే. (మార్లి ౧. అవ. ౧౮౯—౧౯౧)

కాశీ బంగాళా సంప్రదాయగళు.

౫. కాశీ సంప్రదాయవు మిక్క మూరు సంప్రదాయగళిగే మూలవు. ఆద్దరింద ధర్మశాస్త్ర వ్యాఖ్యాతరు కాశీ సంప్రదాయదవరెంతలూ, బంగాళా సంప్రదాయదవరెంతలూ యెరడు దొడ్డ ప్రభేదవుళ్ళవరాగిద్దారె.

school the letter of the law is modified by inferential reasonings, while in the Benares school the text is more closely followed (II, 316,317. C).

Chief authorities in school of Madras.

6. The subjoined are the authorities chiefly accepted in the school of Madras, the practice of which forms the subject of the present Manual.

(1.) MITACSHARA, also called Vignaneswareyum from its author Vignana Yoge. It is a commentary on the *Smruti* of Yajna Vulkia, with citations also from other *Smrutis.* It is divided into three *Kandas,* or parts ; namely the *Achara Kanda* treating of social and religious duties ; the *Vyavahara Kanda* on jurisprudence ; and the *Prayaschitta Kanda* on penance. A section of the second *Kanda* embracing the law of inheritance has been translated by Mr. Colebrooke, and a further portion thereof by Mr. W. H. Macnaughten. The Mitacshara, or Vignaneswareyum, is the great authority in the school of Benares, and by consequence in that of Madras, and the work is so associated with that of Menu, the chief founder of the law, that the two are commonly named together, Menu-Vignaneswareyum, as the embodiment of all law.

(2.) SMRUTI CHANDRIKA, an exhibition of the purport of the *Smrutis* by Devanna Bhut. This is

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బంగాళా సంప్రదాయదల్లి ధర్మశాస్త్రార్థగళు, యుక్తివాదగళ దెసెయింద తిద్దపాటన్ను హొంది యిరుత్తదె, కాశీ సంప్రదాయదొళగె కేవల మూలార్థవే అనసరిసల్పడుతిదె. (౧. ౩౧౬. ౩౧౭ కో.)

౬. ఈ కెళగె తిళిసల్పడువ గ్రంథగళు ద్రవిడసంప్రదాయదల్లి ముఖ్య ప్రమాణగళు- అవుగళొళగె హేళల్పడువ ఆచారగళే ఈ గ్రంథదల్లి హేళల్పడువవు.

ద్రవిడసంప్రదాయదొళగె ముఖ్య గ్రంథగళు.

(౧.) మితాక్షర—ఈ గ్రంథవు విజ్ఞానేశ్వరయోగియింద రచిసల్పట్టద్దరింద విజ్ఞానేశ్వరీయవెంతలూ కరెయల్పడుత్తె. ఇదు యాజ్ఞవల్క్యస్మృతిగె వ్యాఖ్యానవు. ఇదరొళగితర స్మృతి వచనగళు దాఖలిసల్పట్టివె. ఇదరొళగె ఆచారకాండ, వ్యవహారకాండ, ప్రాయశ్చిత్తకాండవెందు మూరు కాండగళు. ఎరడనెయ కాండదొళగె దాయభాగ ప్రకరణ కోల్ బ్రూక్ ఎంబవరింద ఇంగ్లిష్ మాడల్పట్టిదె. అదే కాండదల్లి యిన్ను కెలవు భాగద బిల్ యు- పచ్ మక్ నాటన్ ఎంబవరింద ఇంగ్లిష్ మాడల్పట్టివె. మితాక్షరవు కాశీ సంప్రదాయదొళగె ముఖ్యప్రమాణవు. ఆద్దరిందలే ద్రవిడ సంప్రదాయదొళగెకూడ అదు ప్రమాణవాగి గణిసల్పట్టిదె. ఈ గ్రంథద హెసరు ధర్మశాస్త్రక్కె ముఖ్యప్రవర్తకనాద మనువిన గ్రంథద హెసరినొడనె సేరిసి ఎరడక్కూ సాధారణవాగి మను విజ్ఞానేశ్వరీయవెందు హెసరిట్టు అదరల్లి సమస్తధర్మగళూ తిసళిల్పట్టివెయెందు హేళుత్తారె.

(౨.) స్మృతిచంద్రికె—ఇదు దేవనభట్టరింద రచిసల్పట్టద్దు. ఈ గ్రంథవు చన్నపట్టణ దేశదల్లి వుంటాగి అల్లియే ఆచరిసల్పడుతిదె. ఇదు మితాక్షరక్కె ఎరడనెయ

an especial authority of the Madras school in which it has originated, and stands next in estimation to the Mitacshara. It differs however in doctrines from the Mitacshara in some few points.

(3.) SARASWATEE VILAS, a similar treatise to the Smruti Chandrika. The author's name is Prathapa Roothroodoo.

(4.) VYAVAHARA MYOOKHA, a treatise on civil and criminal jurisprudence by Neelakantha. It is an especial authority of the Mahratta school and has been translated by Mr. Borradaile.

(5.) MADHAVEUM, so called from its author Madhava Charya. It is a comment chiefly on the *Smruti* of Parasara.

The above five works are accounted paramount authorities, and are referred to accordingly as the *Puncha Grandhi*, or five books.

(6.) VARADA RAJEYUM, so called from its author Varada Rajah. It is of the same character as the Smruti Chandrika.

(7.) SMRUTI MOOKTHA PHALUM, also called Vythenatha Deetchetheum from its author Vythenatha Deetchata. It treats of religious observances.

(8.) NIRNAYA SINDHU, by Kamalokara Bhut. It treats of social and religious duties.

(9.) MENUVURTHA MOOKTAVALEE, also called Kullooka Bhutteyam from its author Kullooka Bhut. It is a commentary on Menu, and the one in best repute.

ಹಾಗೆ ಯೆಣಿಸಲ್ಪಟ್ಟಿದೆ. ಕೆಲವು ಸಿದ್ಧಾಂತಗಳಲ್ಲಿಮಾತ್ರ ಯೀ ಗ್ರಂಥ ಮಿತಾಕ್ಷರಕ್ಕೆ ವಿರೋಧಿಸುತದೆ.

(೩.) ಸರಸ್ವತೀವಿಲಾಸ—ಈ ಗ್ರಂಥವು ಸ್ಮೃತಿ ಚಂದ್ರಿಕೆಯಂತಾದ್ದು. ಇದನ್ನು ಮಾಡಿದವರು ಪ್ರತಾಪರುದ್ರರು.

(೪.) ವ್ಯವಹಾರಮಯೂಖ— ಈ ಗ್ರಂಥವು ಅರ್ಥವ್ಯವಹಾರ ಪದವ್ಯವಹಾರಗಳಂ ತಿಳಿಸುತದೆ. ಇದು ನೀಲಕಂಠಕೃತ. ಮಹಾರಾಷ್ಟ್ರಸಂಪ್ರದಾಯದೊಳಗೆ ಇದು ಮುಖ್ಯಪ್ರಮಾಣವಾಗಿದೆ. ಈ ಗ್ರಂಥ ಬಾರೆಡ್ಡೇಲ್ ಯೆಂಬವರಿಂದ ಇಂಗ್ಲಿಷ್‌ಮಾಡಲ್ಪಟ್ಟಿತು.

(೫.) ಮಾಧವೀಯವು—ಈ ಗ್ರಂಥ ಮಾಧವಾಚಾರ್ಯರು ಮಾಡಿದ್ದು. ಇದು ಪರಾಶರ ಸ್ಮೃತಿಗೆ ಮುಖ್ಯವ್ಯಾಖ್ಯಾನ.

ಈ ಅಯಿದು ಗ್ರಂಥಗಳೂ ಪರಮಪ್ರಮಾಣಗಳಾಗಿ ಗಣಿಸಲ್ಪಡುವದರಿಂದ ಯಿವುಗಳನ್ನು ಪಂಚಗ್ರಂಥಿಯೆಂದುದಾಹರಿಸುತ್ತಾರೆ.

(೬.) ವರದರಾಜೀಯ—ಈ ಗ್ರಂಥವು ವರದರಾಜರೆಂಬ ಪಂಡಿತರು ಹೇಳಿದ್ದು. ಇದು ಸ್ಮೃತಿಚಂದ್ರಿಕೆಯಂತಾದ್ದೇ.

(೭.) ಸ್ಮೃತಿ ಮುಕ್ತಾಫಲ— ಈ ಗ್ರಂಥವು ವೈದ್ಯನಾಥದೀಕ್ಷಿತರು ರಚಿಸಿದ್ದಾದ್ದರಿಂದ ವೈದ್ಯನಾಥದೀಕ್ಷಿತೀಯವೆಂತಲೂ ಕರೆಯಲ್ಪಡುತ್ತೆ. ಇದರಲ್ಲಿ ವೈದಿಕ ವಿಧಿಗಳು ವಿವರಿಸಲ್ಪಡುತವೆ.

(೮.) ನಿರ್ಣಯಸಿಂಧು—ಈ ಗ್ರಂಥವು ಕಮಲಾಕರ ಭಟ್ಟರಿಂದ ರಚಿಸಲ್ಪಟ್ಟದ್ದು. ಇದರಲ್ಲಿ ಲೌಕಿಕ ವೈದಿಕವಿಧಿಗಳು ಹೇಳಲ್ಪಡುತವೆ.

(೯.) ಮನ್ವರ್ಥಮುಕ್ತಾವಳಿ—ಈ ಗ್ರಂಥ ಮನುಸ್ಮೃತಿಗೆ ವ್ಯಾಖ್ಯಾನ. ಇದು ಕುಲ್ಲೂಕಭಟ್ಟರಿಂ ರಚಿಸಲ್ಪಟ್ಟದರಿಂದ ಕುಲ್ಲೂಕಭಟ್ಟೀಯವೆಂತಲೂ ಕರೆಯಲ್ಪಡುತ್ತೆ. ಇದೇ ಈಗ ಪ್ರಸಿದ್ಧವಾದ ಮನುವ್ಯಾಖ್ಯಾನವು.

(10.) DUTTAKA MIMAMSA by Nanda Pundita, and DUTTAKA CHANDRIKA by Devanauda Bhut. These are treatises on adoption and the received authorities on the subject in all the schools. They have been translated by Mr. Sutherland. There are two other works bearing the title of Duttaka Mimamsa, the one by Sri Rama Pundita, and the other by Madhava Charya.

Chief authority in school of Bengal.

7. The great authority of the Bengal school is the DAYA BHAGA by Jimuta Vahana. It is a treatise on inheritance and has been translated by Mr. Colebrooke.

Jaganatha's Digest.

8. Among the modern Digests is that by Jaganatha, prepared under the directions of Sir William Jones and translated by Mr. Colebrooke. It is an ample compilation of authorities, but defectively arranged, leaving it uncertain among the conflicting opinions collected together what the real doctrine on any question may be. Its own translator thus condemns it. This work is of the Bengal school.

Obsolete Law.

9. In dealing with the Hindoo law, besides discriminating between the law of Bengal and that of Benares, obsolete law has to be distinguished from that which is current.

శాస్త్రగళ పుస్తకక్రమవు.

(౧౦.) దత్తమీమాంసె— ఈగ్రంథ నందపండితరు మాడిద్దు. దత్తచంద్రికె— యిదు దేవానందభట్టరు మాడిద్దు. ఈ యెరడూ దత్తవిషయవన్ను కురిత గ్రంథగళు. ఆవిషయదల్లి పూర్వ తిళిసిద యెల్ల సంప్రదాయదవరిగూ ప్రమాణవాగిదె. ఈ యెరడు గ్రంథవూ సదర్ ల్యాండ్ యెంబవరింద తర్జుమె మాడల్పట్టిదె. మత్తూ దత్తమీమాంసవెంబ హెసరుళ్ళ గ్రంథగళు యెరడివె. అవుగళల్లొందు మాధవాచార్యరు మాడిద్దు. మత్తొందు శ్రీరామ పండితరు రచిసిద్దు.

బంగాళా సంప్రదాయక్కె ముఖ్య ప్రమాణగళు.

౨. జీమూతవాహనను మాడిద దాయభాగవెంబ గ్రంథవు బంగాళ దేశదల్లి దాయభాగక్కె ముఖ్య ప్రమాణవాగిదె. ఇదు కోల్ బ్రూక్ యెంబవరింద తర్జుమె మాడల్పట్టదె.

జగన్నాథని బంధనె గ్రంథ.

౩. జగన్నాథీయవెంబ నవీన ప్రకరణగ్రంథ సర్ విల్లియం జోన్స్ యెంబవరు జగన్నాథ పండితరింద మాడిసిద్దు. ఇదు కోల్ బ్రూక్ సాహెబరింద యింగ్లిష్‌నల్లి తర్జుమె మాడల్పట్టితు. ఇదు సకలశాస్త్ర సంగ్రహవాగి యిరుత్తదె. ఆదరె సిద్ధాంతగళ యేర్పాడుమాత్ర యిల్ల. ఇదరల్లి సంగ్రహిసల్పట్టిరువ పరస్పర విరుద్ధవచనగళొళగె సిద్ధాంతవచనవిదెందు యేర్పడదేయిదె. ఇదన్ను తర్జుమె మాడిద కోల్ బ్రూక్ రవరే హీగెందు నిందిసిద్దారె. ఇదు బంగాళా సంప్రదాయక్కె సేరిద్దు.

ఆచారవిల్లద శాస్త్రగళు.

౪. హిందూ ధర్మశాస్త్రగళల్లి బంగాళా కాశీసిద్ధాంతగళ భేదవన్ను వివేచిసి తిళియబేకాద్దు మాత్రవల్లదె ప్రకృతదల్లి లోకాచారవిల్లద శాస్త్రాంశవిదెంతలూ ఆచారవుళ్ళ శాస్త్రాంశవిదెంతలూ వివేచిసి తిళిదుకొళ్ళబేకు.

Marriages with those of lower castes.

10. In the earliest times it was permitted to Brahmins to contract marriages with females of lower castes. This affected the law of inheritance, the issue having proportionately decreasing shares according to the inferiority of the castes of their mothers. In the present, or the *Cali* age, this is interdicted and a Brahmin can marry only in his own caste (I. 39, 40).

Right of primogeniture.

11. There was also the right of primogeniture entitling the eldest son to a larger share on partition. This rule no longer exists (I. 133, 192, 193).

Twelve manner of sons.

12. There were furthermore twelve manner of sons, six deriving title by birth, and six by adoption effected in various ways. Among the former was the son begotten by an appointed kinsman, termed *Dwyamushyayana*, or son of two fathers, being affiliated by the actual father and the one for whom he was raised up. Now but two manner of sons are acknowledged, namely the son begotten and the son received in adoption by gift, termed respectively *Ourasa*, or son of the bosom, and *Dattu*, or one given (I. 75; II. 82. C.)

Other points exist.

13. There are other points of obsolete law, but of an immaterial nature.

Law of Bengal and of Benares.

14. The prominent variations of the Bengal law from that of the schools of Benares and Madras are specified in a separate section.

శాస్త్రగళ వ్యత్యాసవు.

౧౦. ఆది కాలదల్లి బ్రాహ్మణరు నికృష్టజాతియ హెంగసరన్ను మదువె మాడికొళ్ళువదు శాస్త్రసిద్ధవాదాగ్యూ అవరుగళల్లి హుట్టిద మక్కళిగె మాత్ర అవర తాయిగళ జాతిగె తక్కంతె దాయభాగదొళగె హెచ్చుకడమె యుంటాగిత్తు. ఈ కలియుగదల్లి అంతహా విధి నిషిద్ధవాద్దరింద బ్రాహ్మణనిగె నికృష్టజాతియల్లి మదువె కూడదు. (౧. ౩౯, ౪౦;) — నికృష్టజాతి హెంగసన్ను మదువె మాడి కొళ్ళువికె.

౧౧. విభాగదొళగె హిరియవనిగె జ్యేష్ఠాంశవెందు హెచ్చాగి పాలుసల్లుత్తిత్తు. ఈగ ఆ యాచారవిల్లవు. (౧. ౧౩౩, ౧౯౨, ౧౯౩.) — జ్యేష్ఠాంశ.

౧౨. మత్తు పుత్రరు హన్నెరడుబగెయాగిరుత్తారె. ఇవరల్లి ఆరుమంది హుట్టువదరింద పుత్రరాదవరు, మత్తారుమంది నానావిధ స్వీకారగళిందాదవరు. మొదలు హేళిద ఆరు మందియొళగొబ్బను నియమిసల్పట్ట జ్ఞాతియింద హుట్టిదవను. ఇవను తన్న తందెయ క్షేత్రదల్లి జ్ఞాతియ దెసెయింద హుట్టిదవనాద్దరింద ద్వ్యాముష్యాయణనెందు హేళల్పడువను. ద్వ్యాముష్యాయణనందరె యిబ్బరు తందెగళిగె హుట్టిదవను. ఈ కాలదల్లి ఔరసదత్తరుమాత్ర పుత్రరెందు గ్రహిసల్పడుత్తారె. ఔరసనందరె భార్యెయల్లి తనగె హుట్టిదవను. దత్తనందరె దానదింద స్వీకరిసల్పట్టవను. (౧. ౩౫; ౨. ౮౨. శ్లో.) — హన్నెరడు విధ పుత్రరు.

౧౩. ఆచారవిల్లద శాస్త్రాంశగళిన్నూ యివె. ఆదరె అవు ముఖ్యవాదవుగళల్ల. — సిద్ధాంతవిషయ.

౧౪. కాశి బన్నపట్టణ సంప్రదాయగళిగూ బంగాళెయ సంప్రదాయక్కూ యిరువ ప్రసిద్ధవాద భేదవు మత్తొందు ప్రకరణదల్లి వివరిసల్పడువదు. — కాశీ బంగాళా సంప్రదాయగళు.

CHAP. II.

MARRIAGE.

Age of female for marriage

15. A girl is accounted by law marriageable at the age of eight (I. 36).

16. Girls are however given in marriage at the age of two, and upwards, till they attain their maturity (Vythenatha Deetcheteyam, on text of Prajapaty).

17. A Brahmin girl attaining maturity without having contracted marriage forfeits her caste (Vythenatha Deetcheteyam, on text of Brihaspaty).

Removal to husband's house.

18. The girl when married remains with her own family until she reaches maturity, when her husband can claim her and remove her to his house (I. 36, 37).

Right of choosing husband.

19. The right of choosing a husband for the girl rests first with her father. Should he have demised, it devolves in succession upon her paternal grand-father, brother, paternal uncle, male paternal cousins, and lastly upon her mother (II. 28, C.).

20. If these relatives should have neglected the duty of choosing a husband for the girl up to three years after she may have attained the age of eight, she is at liberty to choose for herself (I. 36).

Time of marriage for males.

21. The three superior classes, namely the Brahmins, or the sacerdotal order, the Cshatryas, or the military tribe, and the Vysyas, or the mercantile body, may not contract marriage until they have completed the stage of studentship (Menu III. 4), the opening of which period is marked by performance of *Oopanayana* or investiture with the sacred thread, and the close by a ceremony termed *Samavurthana*. For the Soodras, or the servile class, who have no stage of studentship, there is no limitation as to the time for marriage.

೨. ಪ್ರಕರಣ.

ವಿವಾಹ.

೧೫. ಕನ್ಯಕೆ ೮ನೇ ವರುಷದ ಪ್ರಾಯದಲ್ಲಿ ವಿವಾಹಕ್ಕೆ ಅರ್ಹಳೆಂದು ಶಾಸ್ತ್ರ ಹೇಳುತ್ತೆ. (೧. ೩೬.) ಕನ್ಯೆಯರಿಗೆ ವಿವಾಹಕಾಲ.

೧೬. ಆದಾಗ್ಯೂ ೬ನೇ ಸಂವತ್ಸರಮೊದಲು ಋತುಕಾಲದ ವರಿಗೂ ಕನ್ಯೆಯರಿಗೆ ಮದುವೆ ಮಾಡುತ್ತಾರೆ. (ವೈದ್ಯನಾಥದೀಕ್ಷಿತೀಯದೊಳು ಪ್ರಜಾಪತಿವಚನವು.)

೧೭. ಬ್ರಾಹ್ಮಣಕನ್ಯೆಯು ವಿವಾಹವಾಗುವದಕ್ಕೆ ಮುಂಚೆ ಋತುಮತಿಯಾದರೆ ಜಾತಿಭ್ರಷ್ಟೆಯಾಗುವಳು. (ವೈದ್ಯನಾಥದೀಕ್ಷಿತೀಯ್ಯದಲಿ ಬೃಹಸ್ಪತಿವಚನವು)

೧೮. ಮದುವೆಯಾದ ಹುಡಿಗಿಯು ಮೈನೆರೆಯುವವರಿಗೂ ತೌರುಮನೆಯಲ್ಲಿಯೇ ಯಿರಬಹುದು. ಆಬಳಿಕ ಗಂಡನು ತಂನಮನೆಗೆ ಕರದುಕೊಂಡು ಹೋಗುತ್ತಾನೆ. (೧. ೩೬, ೩೭) ಗಂಡನು ಕನ್ನೆ ಮನೆಗೆ ಕರದು ಕೊಂಡು ಹೋಗುವಿಕೆ.

೧೯. ಕನ್ಯೆಗೆ ವರನನ್ನು ಸಂಪಾದಿಸುವ ಅಧಿಕಾರವು ತಂದೆಯದು. ಆತನು ಮೃತನಾಗಿ ಹೋಗಿಯಿದ್ದರೆ ಕನ್ಯೆಯ ಪಿತಾಮಹನು ಸೋದರನು ಪಿತೃವ್ಯನು ಗಂಡುಸರಾದ ಜ್ಞಾತಿಗಳು ತಾಯಿ ಇವರುಗಳು ಕ್ರಮವಾಗಿ ಯಧಿಕಾರವಂ ಹೊಂದತಕ್ಕವರಾಗಿರುತ್ತಾರೆ. (೨. ೨೮. ಶೋ.) ಕರನನ್ನು ವರಿಸುವಿಕೆ.

೨೦. ಕನ್ಯಕೆಯು ೮ನೇ ವರ್ಷದಮೊದಲು ಮೂರು ಸಂವತ್ಸರಗಳವರಿಗೆ ಈ ಬಂಧುಗಳು ತನಗೆ ಗಂಡನನ್ನು ಸಂಪಾದಿಸಿ ಕೊಡದಿದ್ದರೆ ತಾನೇ ಗಂಡನನ್ನು ವರಿಸಬಹುದು. (೧. ೩೬.)

೨೧. ಬ್ರಹ್ಮ ಕ್ಷತ್ರಿಯ ವೈಶ್ಯರು ಬ್ರಹ್ಮಚರ್ಯದಮೊದಲು ಸಮಾವರ್ತನದವರಿಗೂ ಬ್ರಹ್ಮಚರ್ಯವ್ರತವಂ ಪೂರ್ತಿಮಾಡದೆ ಮದುವೆಮಾಡಿಕೊಳ್ಳಲಾಗದು. (ಮನು. ೩. ಅ. ೪. ಶ್ಲೋ.) ಶೂದ್ರರಿಗಾದರೋ ಬ್ರಹ್ಮಚರ್ಯವಿಲ್ಲವಾಗಿ ವಿವಾಹಕಾಲನಿಯಮವಿಲ್ಲವು. ಪುರುಷರಿಗೆ ವಿವಾಹಕಾಲವು.

Eight species of marriage.

22. There are eight species of marriage—the *Brahma, Daiva, Arsha* and *Prajapatya* which are appropriate for Brahmins, and are based upon disinterested motives ; the *Gandharva* and *Racshasa*, which are appropriate for Cshatryas, and are founded, the former on reciprocal desire, and the latter on conquest ; the *Ausoora*, which is practised by Vysyas and Soodras, wherein the consent of the party giving away the girl is obtained by a pecuniary consideration ; and the *Paishacha* where the marriage may have been effected through fraud practised upon the girl, and which is reprobated for all classes (I. 42, 43 ; Macnaughten Junr. I. 59, 60).

23. Though each class has its characteristic description of marriage there is nothing to bind them to the species appropriate to them. A Brahmin for example may contract an *Ausoora* marriage, and a Soodra a *Brahma* one (Koollooka Bhut on Menu, III. 24).

24. The *Brahma* and *Ausoora* are the most usual species of marriage. The former is an approved one, and the latter, as a sordid proceeding, is disapproved (I. 42, 43 ; Macnaughten Junr. I. 60).

The binding circumstances in marriage.

25. The binding circumstances essential to the completion of a marriage are gift and acceptance of the girl, and the ceremony termed *Sapthapathi* or the seven steps. This is performed by the bridegroom placing the bride's foot successively

೨೨ ಮದುವೆಗಳೆಂಟು ಬಗೆ. ಇವುಗಳಲ್ಲಿ ಬ್ರಾಹ್ಮ, ದೈವ, ಆರ್ಷ, ಪ್ರಾಜಾಪತ್ಯ, ಎಂಬ ೪ ವಿವಾಹಗಳು ಬ್ರಾಹ್ಮಣರಿಗೆ ಯುಕ್ತಗಳಾಗಿಯೂ ಪಾರಮಾರ್ಥಿಕಗಳಾಗಿಯೂ ಇರುತವೆ. ಗಾಂಧರ್ವ ರಾಕ್ಷಸವೆಂಬವೆರಡು ಮದುವೆಗಳು ಕ್ಷತ್ರಿಯರಿಗೆ ತಕ್ಕವು. ಇವುಗಳಲ್ಲಿ ಮೊದಲನೆಯದಕ್ಕೆ ದಂಪತಿಗಳ ಪರಸ್ಪರ ಪ್ರೀತಿಯೇ ನಿಮಿತ್ತವು. ಎರಡನೆಯದಕ್ಕೆ ಯುದ್ಧ ಜಯವೇ ನಿಮಿತ್ತ. ಆಸುರವೆಂಬ ಮದುವೆಯನ್ನು ವೈಶ್ಯಶೂದ್ರರು ಮಾಡುವರು. ಇದು ಹಣ ಕೊಡುವದರಿಂದ ಕನ್ಯೆ ಕೊಡತಕ್ಕವರನ್ನು ಒಡಂಬಡಿಸಿ ಮಾಡಲ್ಪಡುತ್ತದೆ. ಪೈಶಾಚವು ಕನ್ಯೆಯನ್ನು ಮೋಸಗೊಳಿಸಿ ಮಾಡಲ್ಪಡುವದು. ಇದು ಸರ್ವವರ್ಣದವರಿಗೂ ನಿಷಿದ್ಧ. (೧. ೪೨, ೪೩; ಬೆಕ್ಕ ಮೆಕ್ನಾಟೆನ್ ೧. ೫೯, ೬೦.)

ಅಷ್ಟವಿಧವಿವಾಹಗಳು

೨೩. ಆಯಾ ವರ್ಣದವರಿಗೆ ವಿವಾಹಭೇದವೇರ್ಪಟ್ಟಿದ್ದಾಗ್ಯೂ ಅವು ಆಚಾರದಲ್ಲಿ ನಿಯತಗಳಲ್ಲವು. ಅಸುರವಿವಾಹವನ್ನು ಬ್ರಾಹ್ಮಣರುಸಹ ಮಾಡಿಕೊಳ್ಳುಬರುವರು. ಶೂದ್ರನಿಗೆ ಬ್ರಾಹ್ಮವೂ ಸಲ್ಲುವದು. (ಮನುವ್ಯಾಖ್ಯಾನ ಕುಲ್ಲೂಕಭಟ್ಟೀಯ.೩. ೨೪)

೨೪. ಬ್ರಾಹ್ಮಾಸುರವಿವಾಹಗಳು ಸರ್ವವರ್ಣದವರಲ್ಲಿಯೂ ಬಹಳ ಸಾಧಾರಣಗಳಾಗಿ ನಡೆಯುತ್ತವೆ. ಇವುಗಳಲ್ಲಿ ಬ್ರಾಹ್ಮವು ಸರ್ವಸಮ್ಮತ. ಆಸುರ ನಿಂದ್ಯವಾಗಿದೆ. (೧. ೪೨, ೫೩; ಬೆಕ್ಕ ಮೆಕ್ನಾಟೆನ್ ೧. ೬೦)

೨೫. ವಿವಾಹಪೂರ್ತಿಗೆ ಕನ್ಯಾದಾನ, ಪಾಣಿಗ್ರಹ, ಸಪ್ತಪದಿ, ಇವೇ ಮುಖ್ಯಕ್ರಿಯೆಗಳು. ಸಪ್ತಪದೀ ಅಂದರೆ ಹೋಮದ ಕಟ್ಟೆಯಲ್ಲಿ ಅಕ್ಕಿಯನ್ನು ಹರಡಿ ಏಳು ಗೆರೆಗಳನ್ನು ಗೀಚಿ, ಅವುಗಳೊಳಗೊಂದೊಂದರಮೇಲೆ ಒಂದೊಂದಾವೃತ್ತಿ ವರನು ವಧುವಿನ ಪಾದವನ್ನು ಕ್ರಮವಾಗಿ ಇಡಿಸುವಿಕೆ. ಇದರಿಂದ

ಮದುವೆಯನ್ನು ನೆರವೇರಿಸತಕ್ಕ ಕ್ರಿಯೆಗಳು.

on seven lines drawn on rice in a platter. From this observance has followed the practice of any two persons pledging mutual friendship by taking seven steps together, so that the term *Sapthapathinam* has come to be synonymous with friendship. The ceremonial in question accomplishes the marriage. The other ceremonies observed, including sacrifice by fire (*Homam*), are of minor significance. The tying the *Taly*, or nuptial token, by the bridegroom round the neck of the bride, is a practice sanctioned by usage, but not prescribed in the Sastras (Grooheya Sootrum).

26. The above matrimonial contract in itself fixes the condition of the parties as married, irrespective of the consummation of the marriage when the female, on reaching maturity, is taken home by the husband. It brings the girl, should her husband die, to the state of widowhood, with its attendant consequences, and gives her right of inheritance in her husband's family (I. 36 ; II. 32, 33. E).

Breach of engagement.

27. A breach of promise of marriage does not entail any special consequences.

28. If owing to legal impediment (such as incurable disease or other defect, or consanguinity within the prohibited degrees), or from the death of the girl, a marriage negociated cannot take place presents which may have been made to the girl in anticipation of the marriage are to be returned, and the intended husband has to pay the expences incurred on either side (I. 38). If the breach be

ಲೇ ಸ್ತ್ರೀಯರ ಒಡಂಬಡಿಕೆಯಾಗಿ ಯಿಬ್ಬರೂ ಬೆರೆತು ಏಳಡಿಗ
ಳಿಡುವ ಸಂಪ್ರದಾಯವಿದೆ. ಆದ್ದರಿಂದ ಸಾಪ್ತಪದೀನವೆಂಬ ಶಬ್ದ
ಸಖ್ಯಬೋಧಕವಾಗಿದೆ. ಈ ಸಪ್ತಪದಿಯಿಂದಲೇ ವಿವಾಹವು ಸಾಂ
ಗವಾಗವದು. ಹೋಮಮುಂತಾದ ಇತರ ಕರ್ಮಗಳು ಸಾಧಾರ
ಣಗಳು. ಕನ್ಯೆಯ ಕೊರಳಲ್ಲಿ ಕಟ್ಟಲ್ಪಡುವ ತಾಳಿಯು ಲೋಕಾಚಾ
ರಸಿದ್ಧವಾದ್ದೇ ಹೊರತು ಶಾಸ್ತ್ರೀಯವಲ್ಲ. (ಗೃಹ್ಯಸೂತ್ರ).

೨೬. ಮೇಲೆ ಹೇಳಲ್ಪಟ್ಟ ವಿವಾಹಸಿದ್ಧಿಯಿಂದ ವಧೂವರ
ರಿಗೆ ದಾಂಪತ್ಯಸಂಬಂಧವುಂಟಾಗುತ್ತದೆಯೇ ಹೊರತು ನಿಷೇಕ
ದಿಂದಲ್ಲವು. ಮೈನೆರದಬಳಿಕ ಸ್ತ್ರೀಯನ್ನು ಗಂಡನು ತನ್ನ ಮನೆಗೆ
ಕರದುಕೊಂಡು ಹೋಗುತ್ತಾನೆ. ಈ ವಿವಾಹದ ಬಳಿಕ ಗಂಡನು
ಸತ್ತರೆ, ಆ ಹುಡಿಗಿಗೆ ವೈಧವ್ಯವೂ ಅದಕ್ಕೆ ತಕ್ಕ ಧರ್ಮಗಳ
ಲ್ಲಿ ಕರ್ತೃತ್ವವೂ, ತನ್ನ ಗಂಡನ ದಾಯ ಭಾಗವನ್ನು ಪಡೆ
ಯತಕ್ಕ ಅಧಿಕಾರವೂ ವುಂಟಾಗುತವೆ. (೧. ೩೬. ೨. ೩೨,
೩೩, ೬)

೨೭. ನಿಶ್ಚಿತಾರ್ಥವಾದಮೇಲೆ ಮದುವೆ ನಡೆಯದೆ ಹೋದ ನಿಶ್ಚಿತಾರ್ಥ ವಿರೋಧ.
ರೆ ಅದರಿಂದೇನೂ ವಿಶೇಷ ಹಾನಿಯಿಲ್ಲ.

೨೮. ವಾಸಿಯಾಗದ ರೋಗಸಲ್ಲದ ವಾವಿಮುಂತಾಗಿ ನ್ಯಾ
ಯ್ಯವಾದ ಪ್ರತಿಬಂಧಕದಿಂದಲಾಗಲಿ ಕನ್ಯಕೆಯು ಸತ್ತುಹೋಗು
ವದರಿಂದಲಾಗಲಿ ನಿಶ್ಚಿತವಾದ ಮದುವೆ ನಿಂತುಹೋದರೆ ಮದುವೆ
ಗಾಗಿ ಕನ್ಯೆಗೆ ವರನಿಂದ ಕೊಡಲ್ಪಟ್ಟ ಹಣವನ್ನು ಯೆಂದಕ್ಕೂ ಕೊ
ಡತಕ್ಕದ್ದು. ನಿಶ್ಚಯಿಸಲ್ಪಟ್ಟವರನು ಮೊರಡುಪತುದವರ ವೆಚ್ಚಗಳ
ನ್ನು ತಾನೇ ಕೊಡಬೇಕು. (೧. ೩೮.) ಹೆಣ್ಣಿನವರು ನ್ಯಾ

on the girl's side, without discovery of legal impediment, her family are to bear the expences.

Loss of caste.

29. When either party incurs forfeiture of caste, intercourse between them ceases; and should the loss of caste be on the side of the female, and she be sonless, she is accounted as dead and funeral rites are performed for her (Smruti Chandrika, on text of Vasista and Yajna Vulkia). If she have a son, he is bound to maintain her, and in this way, under such circumstances, her existence is recognized notwithstanding her loss of caste.

Infidelity in the female.

30. Infidelity in the female, save in certain of the lowest classes, occasions forfeiture of caste and puts an end to the marriage (Smruti Chandriika). The husband however is not entitled to damages from the adulterer, the Hindoo law not providing for discretionary damages upon any account (II, 40-44, 265. C. and E).

Grounds for separation.

31. Impotence in the man and confirmed barrenness in the woman, as also loathsome or incurable disease in either, justify separation (I. 47), but will not sever the marriage tie (Menu IX. 79).

Plurality of wives.

32. A man may have a plurality of wives without limit. He ought not however to take an additional wife save under certain justifying circumstances. These are his wife's exhibiting want of chastity; habitual disobedience or disrespect towards him; bad temper; bad health; barrenness; or should she for a period of ten years pro-

ವ್ಯಾಪಾರ ಅಡ್ಡಿಯಿಲ್ಲದೆ ಮದುವೆಗೆ ನಿರೋಧಿಸುವದಾದರೆ ಅವಳೇ ನಡೆದ ವೆಚ್ಚಗಳನ್ನೆಲ್ಲ ವರನಿಗೆ ಕೊಡಬೇಕು.

೪೯. ದಂಪತಿಗಳಲ್ಲೊಬ್ಬರು ಜಾತಿ ಭ್ರಷ್ಟರಾದರೆ ಅವರ ಪರಸ್ಪರ ಸಂಬಂಧವು ನಿವೃತ್ತವಾಗುವದು. ಜಾತಿಭ್ರಷ್ಟೆಯನ್ನು ಮೃತಳೆಂತಲೇ ಭಾವಿಸಿ ಅವಳಿಗೆ ಉತ್ತರಕ್ರಿಯೆಗಳನ್ನು ಮಾಡತಕ್ಕದ್ದು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆಯೊಳು ವಸಿಷ್ಠಯಾಜ್ಞವಲ್ಕ್ಯವಚನಗಳು.) ಅವಳು ಪುತ್ರವತಿಯಾಗಿದ್ದರೆ ಹಾಗೆ ಯೋಚಿಸಕೂಡದು. ಆಕೆಯನ್ನು ಮಗನೇ ಸಂರಕ್ಷಿಸಬೇಕು. ಜಾತಿಭ್ರಂಶವು.

೫೦. ವ್ಯಭಿಚಾರ ಮಾಡಿದವಳು ಜಾತಿಭ್ರಷ್ಟೆಯಾಗುತ್ತಾಳೆ ಅಷ್ಟಕ್ಕೆ ವಿವಾಹ ಸಂಬಂಧಕೂಡ ತೀರಿಹೋಗುವದು. ಕೆಲವು ನೀಚಜಾತಿಗಳಿಗೆ ಈ ನಿಯಮವಿಲ್ಲ. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆ) ಜಾರನಬಳಿಯಿಂದ ನಷ್ಟವಂಹೊಂದುವದಕ್ಕೆ ಗಂಡನಿಗೆ ಅಧಿಕಾರವಿಲ್ಲವು. ಯಾವ ವಿಷಯದಲ್ಲಾದರೂ ಗಂಡನಿಗೆ ಸಲ್ಲಬೇಕಾದ ನಷ್ಟವು ಹಿಂದುಗಳ ಧರ್ಮಶಾಸ್ತ್ರಸಿದ್ಧವಲ್ಲವು. (೨. ೪೦. ೪೪, ೨೬೫ ಬೊ- ಹೈ- ಎ.) ಸ್ತ್ರೀವ್ಯಭಿಚಾರ.

೫೧. ನಪುಂಸಕತ್ವವಾಗಲಿ ಬಂಜೆತನವಾಗಲಿ, ಇಬ್ಬರೊಳಗೊಬ್ಬರಿಗೆ ಕೆಟ್ಟವ್ಯಾಧಿಯಾಗಲಿ, ಅಥವಾ ವಾಸಿಯಾಗದ ರೋಗವಾಗಲಿ, ದಂಪತಿಗಳಗಲುವದಕ್ಕೆ ಕಾರಣವಾಗುತ್ತದೆ. (೧. ೪೩) ಆದಾಗ್ಯೂ ಇವುಗಳು ವಿವಾಹ ಬಂಧವನ್ನು ಹೋಗಲಾಡಿಸಲಾರವು. (ಮನು. ೯. ೭೯) ದಂಪತಿಗಳಗಲುವದಕ್ಕೆ ಕಾರಣ.

೫೨. ಗಂಡನು ಮಿತಿಯಿಲ್ಲದೆ ಬಹುಜನ ಸ್ತ್ರೀಯರನ್ನು ಮದುವೆಮಾಡಿಕೊಳ್ಳಬಹುದು. ಆದರೆ ತಕ್ಕ ಕಾರಣಗಳಿಲ್ಲದೆ ಬೇರೆ ಹೆಂಡತಿಯನ್ನು ಪಡೆಯಲಾಗದು. ಅಂಥಾ ಕಾರಣಗಳ್ಯಾವವೆಂದರೆ— ಸ್ತ್ರೀಯ ವ್ಯಭಿಚಾರ, ಸದಾಅವಿಧೇಯತೆ, ದುರ್ಗುಣ, ರೋಗ, ಬಂಜೆತನ, ಹತ್ತುವರ್ಷಗಳವರೆಗೂ ಹೆಣ್ಣುಮಕ್ಕಳ ಭಾರ್ಯಾಬಹುತ್ವ.

duce only daughters. The consent of the wife, without any disqualifying causes on her side, also of itself warrants remarriage (I. 45, 46, 52,53). The absence of these justifying causes will not however invalidate a second marriage (Smruti Chandrika, on text of Devala).

Present on second marriage.

33. Where justification of a second marriage depends upon the consent of the wife, this is to be purchased with a present (Mitaeshara II, XI. 34). For this the wife may sue her husband. Proof of misconduct on her part would invalidate her right to such present (Smruti Chandria, on text of Vasista and Yajna Vulkia).

34. A wife who has been superseded by a second marriage, whether justifiably or not, should continue to reside with her husband. If he oblige her to leave him she should reside with his relatives or her own (I. 54, 55.). In either case the husband is bound to maintain her (Smruti Chandrika, on text of Brahaspati).

Re-marriage of widows.

35. Widows, even when becoming so at the earliest age, cannot remarry (1. 37).

36. Certain of the lowest classes of Soodras, who are considered not under the pale of the law, are free of this restriction.

37. The widows of Pariahs and Chucklers or ofthe Yerragolla cast may remarry, should local usage sanction the practice (S. U. Pundits 22d

ಸ್ತ್ರೀ ಪುರುಷರಿರುವಿಕೆ ಇವೇ. ಹೆಂಗಸು ದೋಷವಿಲ್ಲದವಳಾದಾಗ್ಯೂ ಅವಳನುಮತಿಯಿದ್ದರೆ ಬೇರೆ ಮದುವೆ ಮಾಡಿಕೊಳ್ಳಬಹುದು. (೧. ೪೫, ೪೬, ೫೨, ೫೩) ಆದಾಗ್ಯೂ ನಡೆದುಹೋದ ಮದುವೆಗೆ ಯೀನಿಮಿತ್ತಗಳಿಲ್ಲದಿದ್ದಾಗ್ಯೂ ಸಲ್ಲದೆ ಹೋಗಲಾರದು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆಯೊಳ್ ದೇವಲವಚನವು.)

ಎರಡನೇ ಮದುವೆಯಕಾಲದಲ್ಲಿ ಕೊಡಬೇಕಾದಸ್ತ್ರೀಧನ,

೩೩. ಹೆಂಡತಿಯ ಸಮ್ಮತಿಯೇ ಎರಡನೇಮದುವೆಗೆ ನಿಮಿತ್ತವಾಗಿದ್ದಪಕ್ಷದಲ್ಲಿ ಆಕೆಗೆ ಪಾರಿತೋಷಿಕ ಕೊಟ್ಟು ಆಕೆಯ ಅನುಮತಿಯನ್ನು ಹೊಂದಬೇಕು. (ಮಿತಾಕ್ಷರಿ. ೨. ಅ. ೧೧ ಪ್ರ. ೩೪ ಶ್ಲೋ.) ಈ ಪಾರಿತೋಷಿಕಕ್ಕಾಗಿ ಹೆಂಡತಿಯು ಗಂಡನ ಮೇಲೆ ದಾವೇತರಬಹುದು. ಆಕೆ ಕೆಟ್ಟನಡತೆಯುಳ್ಳವಳೆಂದು ರುಜುವಾದರೆ ಆದಾವೆ ಸಲ್ಲದು. ಸ್ಮೃತಿಚಂದ್ರಿಕೆಯೊಳು ವಸಿಷ್ಠಯಾಜ್ಞವಲ್ಕ್ಯವಚನಗಳು.)

ನಿರಾಕರಿಸಲ್ಪಟ್ಟ ಹೆಂಡತಿ ವಾಸಮಾಡಬೇಕಾದ ತಾವು.

೩೪. ನ್ಯಾಯವಿದ್ದೇಯಾಗಲಿ ಯಿಲ್ಲದೆಯಾಗಲಿ ಗಂಡನು ಎರಡನೆಮದುವೆ ಮಾಡಿಕೊಂಡದ್ದರಿಂದ ನಿರಾಕರಿಸಲ್ಪಟ್ಟ ಹೆಂಡತಿ ಗಂಡನಸಂಗಡಲೇ ಯಿರತಕ್ಕದ್ದು. ಅವನು ತನ್ನಬಳಿ ಯಿರಬೇಡವೆಂದರೆ ಆ ಹೆಂಗಸು ಗಂಡನ ಬಂಧುಗಳಬಳಿಯಾಗಲಿ ತನ್ನಬಂಧುಗಳಬಳಿಯಾಗಲಿ ಯಿರಬೇಕು. (೧. ೫೪, ೫೫)ಅವಳು ಯೆಲ್ಲಿದ್ದಾಗ್ಯೂ ಅವಳನ್ನು ಗಂಡನೇ ಸಂರಕ್ಷಿಸಬೇಕು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆಯೊಳಗೆ ಬೃಹಸ್ಪತಿವಚನ.)

ವಿತಂತುವಿನ ಮದುವೆ.

೩೫. ಹೆಂಗಸರಿಗೆ ಚಿಕ್ಕತನದಲ್ಲಿಯೇ ವೈಧವ್ಯಬಂದಾಗ್ಯೂ ಅವರಿಗೆ ಎರಡನೇಮದುವೆ ಸಲ್ಲದು. (೧. ೩೭)

೩೬. ಇಂತಾ ಶಾಸ್ತ್ರನಿಯಮಕ್ಕೆ ಕಟ್ಟುಬೀಳದ ನೀಚಜಾತಿಯ ಸ್ತ್ರೀಯರು ಕೆಲವರಿಗೆ ಯೀ ನಿಯಮವಿಲ್ಲವು.

೩೭. ಮೊದ್ರಗೊಲ್ಲರೆಂಬವರು ಹೊಲೆಯರು ದೂದಿಗರು ಇವರುಗಳಲ್ಲಿ ಗಂಡಸತ್ತವರಿಗೆ ಆಯಾ ದೇಶಪದ್ಧತಿಯನ್ನನುಸರಿಸಿ

January 1852 ; 13th March and 26th June 1854; 19th April 1855).

38. In the Vellala caste, which is a superior grade of Soodra, remarriage of widows is not permissible (S. U. Pundits 19th April 1855).

39. On remarriage of a widow among the classes wherein this is permissible, ornaments and apparel received from the first husband are to be returned to his heirs (II. 400. C.)

Marriage with prostitutes.

40. Among the lower classes of Soodras, marriage with females who have lived in concubinage is allowed (S. U. Pundits 26th June 1845).

41. Among such low castes children begotten before marriage are legitimatized on the marriage of the parents, should the custom of the caste sanction such recognition (S. U. Pundits 26th January 1854).

42. In the Vellala caste marriage with a female who has been guilty of concubinage is not allowed (S. U. Pundits 16th May 1855).

Contracting parties to be of same caste.

43. The contracting parties must be of the same caste (I. 40), and should be of the same sect.

44. The lowest class of Soodras are however not bound by this rule.

45. Different sects among them may intermarry (S. U. Pundits 24th September 1829 ; 14th September 1854 ; 8th February 1855).

కులస్థర సంమతియమేలె బేరె మదువెయాగబహుదు. (స. అ. పండితరు ౧౮౫౨ సం॥ జనవరి తా ౨౨; ౧౮౫౪ మార్చి ౧౩, జూన్ ౨౬; ౧౮౫౫ యేప్రిల్ ౧౯.)

౩౮. మేలాద శూద్రజాతిగళల్లి కొంగరు వెలమరు యివరుగళ వితంతుగళిగె మరళి మదువె కూడదు. (స. అ. పం. ౧౮౫౫ యేప్రిల్ ౧౯.)

౩౯. మరళి మదువె మాడికొళ్ళువ వితంతు మొదల నేగండను తనగె కొట్టిద్దొడవె వస్త్రముంతాదవుగళన్ను అవన దాయాదరిగె కొట్టుబిడతక్కద్దు.(౨. ౪౦౦, కొ.)

౪౦. నికృష్టజాతి శూద్రరల్లి గండును హెంగసన్ను కెలవుకాల కూడికెయాగి యిట్టుకొండిద్దు మదువెమాడికొళ్ళబహుదు. (స- అ- పం- ౧౮౪౫ జూన్ ౨౬.) కూడికె మదువె.

౪౧. అంతా నికృష్టజాతిగళల్లి మదువెగెముందె హుట్టిద మక్కళు కులపద్ధతియిద్దరె తరువాయ న్యాయవాద సంతతియాగి అంగీకరిసల్పడువరు. (స. అ. పం. ౧౮౫౪ జనవరి ౨౬.)

౪౨. కొంగరు వెలమరుగళల్లి కూడికె దోషవుళ్ళ హెంగసన్ను మదువెమాడికొళ్ళకూడదు. (స. అ. పం. ౧౮౫౫ మే ౧౬.)

౪౩. మదువె మాడికొళ్ళువ గండహెండతొందే జాతియవరాగిరబేకు. (౧. ౪౦.) ఒందేమతదవరాగియూ యిరబేకు. గండహెండతొందే జాతియవరాగిరువికె.

౪౪. నికృష్టజాతి శూద్రరిగీనియమవిల్లవు.

౪౫. ఇవరుగళల్లి భిన్నమతగళవరిగె పరస్పర వివాహవుంటు - (స . అ . పం .౧౮౨౯ సెప్టంబర్ ౨౪; ౧౮౫౪ సెప్టంబర్ ౧౪; ౧౮౫౫ ఫిబ్రవరి ౭).

Degrees of kindred prohibited for marriage.

46. Brahmins are divided into 155 *Gotras* (Dasanirnayam, on text of Aupustumba), the head or root of each *Gotra* being some particular *Rishi*, or sage. Some families of Cshatriyas trace from the *Rishis* of the Brahmins. The test, and all the Vysyas, follow the *Gotras* of their *Purohitas*, or family priests. The descent in these several *Gotras* is in the male line exclusively, and females after marriage are transferred to the *Gotras* of their husbands (Nirnaya Sindhu). Intermarriage in their own Gotra has been prohibited to these three classes, (Menu III. 5).

47. Soodras having no Gotras lie under a special prohibition which exists against marriage with any one lineally descended from an ancestor up to the sixth above the father or the fourth above the mother (Nirnaya Sindhu; on text of Vasista.)

48. These rules have however been greatly relaxed, and ordinarily, among all classes, only paternal and maternal uncles and aunts and descendants, and brothers and sisters and their descendants, are viewed as within the prohibited degrees (Nirnaya Sindhu, on text of Saktayana, Pagrasareya &c.; Kalamrootum 62; Dhurmapravurthy, on text of Vyagrapatha.)

Prohibited degrees for person adopted.

49. One who has been introduced into a family by adoption is under the above prohibition as to marriage within both his natural and adoptive family. His prog[illegible]e under the like prohibitic [illegible] th fa [illegible] irnaya Sindhu.)

౮౬. బ్రాహ్మణరెల్ల సూత్రవత్త్రదు గోత్రగళవ రాగిద్దారె. (దశనిర్ణయదల్లి ఆపస్తంబసూత్ర)ఆయా గోత్ర ఒబ్బొబ్బ ఋషి కూటస్థరు. కెలవు క్షత్రియ వంశగళు బ్రహ్మఋషిగళ దెసెయిందుంటాదవు. మిక్క క్షత్రియరూ వైశ్యరూ తమ్మతమ్మ పురోహితర గోత్రగళన్నే తమగె ఇట్టుకొళ్ళుత్తారె. ఈ నానావిధ గోత్రగళు పురుషపరంపరెయ దెసెయింద నడదుబరుతివె- హెంగసరు మదువెగెతరువాయ గండన గోత్రవుళ్ళవ రాగుత్తారె. (నిర్ణయసింధు) ఈ మూరుజాతిగళవరిగె సగోత్రెయ మదువె నిషిద్ధవు (మనవు . ౩ . ౫) మదువెగె సల్లదవరు.

౮౭. శూద్రరిగె గోత్రవిల్లదిద్దాగ్యూ తందెగె పూర్వ ఐదు తలాంతరగళల్లియాగలి తాయిగె ముందె నాల్కు తలాంతరగళల్లియాగలి హుట్టిదవరన్ను వివాహ మాడికొళ్ళువదు నిషిద్ధవు. (నిర్ణయసింధునల్లి వసిష్ఠవచన.)

౮౮. ఈ నియమగళిగె బహుశః లోకాచార కడమె యాయితు. సాధారణవాగి సమస్తవర్ణగళల్లియూ తాయి తందెగళొడహుట్టిదవ రొందిగాగలి; అవర సంతతి యవరొందిగాగలి; ఒడహుట్టిదవరొందిగాగలి, అవర సంతతియవరొందిగాగలి వివాహసంబంధద నిషేధమాత్ర గణిసల్పడుత్తె. (నిర్ణయసింధునల్లి కాత్యాయనపరాశరాదిగళ వచనగళు; కాలామృతదల్లి ౬౨ శ్లో; ధర్మప్రవృత్తియల్లి వ్యాఘ్రపాదవచనవు.)

౮౯. దత్తపుత్రను తన్న జనకపరంపరెయల్లియూ, తెగదుకొండవర పరంపరెయల్లియూ, ముందె హేళల్పట్ట వివాహసంబంధద నిషేధవన్ను గణిసబేకు. అవన సంతతియవరుసహ ఆ నిషేధవన్ను గణిసబేకు. (నిర్ణయసింధునల్లి). స్వీకృతపుత్రనిగె సల్లదవరు.

Degrees of kindred prohibited for marriage.

46. Brahmins are divided into 155 *Gotras* (Dasanirnayam, on text of Aupustumba), the head or root of each *Gotra* being some particular *Rishi*, or sage. Some families of Cshatriyas trace from the *Rishis* of the Brahmins. The test, and all the Vysyas, follow the *Gotras* of their *Purohitas*, or family priests. The descent in these several *Gotras* is in the male line exclusively, and females after marriage are transferred to the *Gotras* of their husbands (Nirnaya Sindhu). Intermarriage in their own Gotra has been prohibited to these three classes, (Menu III. 5).

47. Soodras having no Gotras lie under a special prohibition which exists against marriage with any one lineally descended from an ancestor up to the sixth above the father or the fourth above the mother (Nirnaya Sindhu; on text of Vasista.)

48. These rules have however been greatly relaxed, and ordinarily, among all classes, only paternal and maternal uncles and aunts and descendants, and brothers and sisters and their descendants, are viewed as within the prohibited derees (Nirnaya Sindhu, on text of Saktayana, Pagrasareya &c.; Kalamrootum 62; Dhurmapravurthy, on text of Vyagrapatha.)

Prohibited degrees for person adopted.

49. One who has been introduced into a family by adoption is under the above prohibition as to marriage within both his natural and adoptive family. His progeny are under the like prohibition in both families (Nirnaya Sindhu.)

వివాహవు.

౭౬. బ్రాహ్మణరెల్ల నూరైవత్తైదు గోత్రగళవరాగిద్దారె. (దశనిర్ణయదల్లి ఆపస్తంబసూత్ర)ఆయాగోత్రక్కొబ్బొబ్బ ఋషి కూటస్థరు. కెలవు క్షత్రియ వంశగళు బ్రహ్మఋషిగళ దెసెయిందుంటాదవు. మిక్క క్షత్రియరూ వైశ్యరూ తమ్మతమ్మ పురోహితర గోత్రగళన్నే తమగె ఇట్టుకొళ్ళుత్తారె. ఈ నానావిధ గోత్రగళు పురుషపరంపరెయ దెసెయింద నడెయుబరుతివె - హెంగసరు మదువెగెతరువాయ గండన గోత్రవుళ్ళవరాగుత్తారె. (నిర్ణయసింధు) ఈ మూరుజాతిగళవరిగె సగోత్రేయ మదువె నిషిద్ధవు (మనవు . ౩ . ౫) మదువెగె సల్లదవరు.

౭౭. శూద్రరిగె గోత్రవిల్లదిద్దాగ్యూ తండెగె పూర్వ ఆరు తలాంతరగళల్లియాగలి తాయిగె ముందె నాల్కు తలాంతరగళల్లియాగలి హుట్టిదవరన్ను వివాహ మాడికొళ్ళువదు నిషిద్ధవు. (నిర్ణయసింధునల్లి వసిష్ఠవచన.)

౭౮. ఈ నియమగళిగె బహుశః లోకాచార కడమెయాయితు. సాధారణవాగి సమస్తవర్ణగళల్లియూ తాయి తందెగళొడహుట్టిదవరొందిగాగలి; అవర సంతతియవరొందిగాగలి; స్వొడహుట్టిదవరొందిగాగలి, అవర సంతతియవరొందిగాగలి వివాహసంబంధద నిషేధమాత్ర గణిసల్పడుత్తె. (నిర్ణయసింధునల్లి కాత్యాయనపరాశరాదిగళ వచనగళు; కాలామృతదల్లి ౬౨ శ్లో; ధర్మప్రవృత్తియల్లి వ్యాఘ్రపాదవచనవు.)

౭౯. దత్తపుత్రను తన్న జనకపరంపరెయల్లియూ, తెగదుకొండవర పరంపరెయల్లియూ, ముందె హేళల్పట్ట వివాహసంబంధద నిషేధవన్ను గణిసబేకు. అవన సంతతియవరు సహ ఆ నిషేధవన్ను గణిసబేకు. (నిర్ణయసింధునల్లి). స్వీకృతపుత్రనిగె సల్లదవరు.

CHAP. III.

ADOPTION.

Liability to place of torment.

50. Among the Hindoos a man who has contracted matrimony is considered thereby to have incurred liability to be transferred after death to a place of torment termed *Put*. From this fate he is delivered by becoming the father of a son. A son is hence designated *Puttra*, or one who delivers from *Put*. (Menu IX. 138).

Need to secure a son.

51. The need of a son to a (married) Hindoo is thus apparent; and if not obtained in a natural way the resource is that he should secure one by adoption (I. 76.)

Adoption by one whose son has demised.

52. The very birth of a son saves from *Put*. One who has become sonless by the death of his son, though freed from danger of *Put* by the son he has had, may nevertheless adopt a son to perform his funeral rites and keep up his line (Duttaka Mimamsa of Nanda Pundita I. 3, 4).

Funeral offerings.

53. The funeral rites of a man, consisting of offerings of rice balls and water to his manes, are for the purpose of supplying the supposed wants of his soul. In default of male progeny the widow, brothers, and other relatives may make these offerings in more or less fulness according to propinquity of relationship. The son however performs them with the fullest efficacy (Duttaka Mimamsa of Nanda Pundita I. 58, 59).

Male progeny

54. The male progeny of which a man should

೩. ನೇ ಪ್ರಕರಣ.

ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಕುರಿತು.

ನರಕಾರ್ಥತೆ

೫೦. ಗೃಹಸ್ಥಾಶ್ರಮವುಳ್ಳವನು ಮರಣಾನಂತರ ಪುತ್ ಯೆಂಬ ನರಕವನ್ನು ಹೊಂದತಕ್ಕವನೆಂದು ಹಿಂದುಗಳು ಯೆಣಿಸುತ್ತಾರೆ. ಪುತ್ರವಂತನಿಗೇ ನರಕವಿಲ್ಲ. ಪುತ್ ಎಂಬ ನರಕದ ದೆಸೆಯಿಂದ ಕಾಯುವವನಾದ ಕಾರಣ ಮಗನಿಗೆ ಪುತ್ರನೆಂದು ಹೆಸರುಂಟಾಯಿತು. (ಮನು ೯. ೧೩೮).

ಪುತ್ರನಿರಬೇಕಾದ ಆವಶ್ಯಕತೆ.

೫೧. ಇದರಿಂದಲೇ ಗೃಹಸ್ಥಾಶ್ರಮವುಳ್ಳವನಿಗೆ ಅವಶ್ಯವಾಗಿ ಪುತ್ರನಿರಬೇಕೆಂಬದು ಸ್ಪಷ್ಟವಾಗುತ್ತದೆ. ಸಹಜವಾಗಿ ಮಕ್ಕಳಿಲ್ಲದವನು ಅವಶ್ಯ ಪುತ್ರಸ್ವೀಕಾರ **ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದು** ವಿಧಿಯುಂಟು (೧. ೭೬)

ನಷ್ಟಪುತ್ರಕನ ಪುತ್ರಸ್ವೀಕಾರವು.

೫೨. ಮಗನು **ಹುಟ್ಟಿದಮಾತ್ರದಿಂದಲೇ** ಪುತ್ ಯೆಂಬ **ನರಕ** ತಪ್ಪಿಹೋದಾಗ್ಯೂ ಅಂತಾ ನಷ್ಟಪುತ್ರಕನು ತನ್ನ ಅಪರಕ್ರಿಯೆಗಳಿಗೋಸ್ಕರವೂ ವಂಶವೃದ್ಧಿಗಾಗಿಯೂ ಪುತ್ರಸ್ವೀಕಾರವನ್ನು **ಮಾಡಿಕೊಳ್ಳಬಹುದು**. (ನಂದಪಂಡಿತದತ್ತಮೀಮಾಂಸೆ. ೧.೩,೪.)

ಅಪರಕ್ರಿಯೆಗಳು.

೫೩. ಸತ್ತುಹೋದವನ ಆಪೇಕ್ಷೆ ತೀರುವಂತೆ ಅವನ ಹೆಸರಿನಿಂದ ಪಿತೃದೇವತೆಗಳಿಗೆ ಪಿಂಡೋದಕಗಳನ್ನು **ಕೊಡುವ** ಅಪರಕ್ರಿಯೆಗಳನ್ನು ಮಾಡುವರು. ಅವನಿಗೆ ಪುರುಷಸಂತತಿ ಯಿಲ್ಲದಿದ್ದರೆ ಹೆಂಡತಿಯಾಗಲಿ, ಅಣ್ಣತಮ್ಮಂದಿರಾಗಲಿ, ಮಿಕ್ಕ ಬಂಧುಗಳಾಗಲಿ, ತಮ್ಮ ತಮ್ಮ ಬಾಂಧವ್ಯಕ್ಕೆ ತಕ್ಕಂತೆ **ಯಥಾಯೋಗ್ಯವಾಗಿ** ವುತ್ತರಕ್ರಿಯೆಗಳನ್ನು ನೆರವೇರಿಸುವರು. ಆದರೆ ಪುತ್ರನಿಂದ **ಮಾಡಲ್ಪಟ್ಟ** ಅಪರಕ್ರಿಯೆಗಳು ಮಾತ್ರ ಸಂಪೂರ್ಣಫಲವನ್ನೀಯುತ್ತವೆ. (ನಂದಪಂಡಿತದತ್ತಕಮೀಮಾಂಸೆ೧,೫೮,೫೯).

ಪುತ್ರಸಂ

೫೪. ಪುತ್ರನಾಗಲಿ ಪೌತ್ರನಾಗಲಿ ಪ್ರಪೌತ್ರನಾಗಲಿ ಯಿ

to be wanting. be destitute to authorise his adopting a son embraces sons, son's sons, and son's grandsons, these in failure the one of the other being on an equality as heirs (I. 78 ; Sutherland 222).

55. Should the male progeny be disqualified from inheriting by loss of caste, insanity, incurable disease, or other cause, they will be considered non-existent and adoption may be made as by a sonless man (I. 77).

Second adoption in life time of son adopted.

56. A second adoption made during the life time of a son already adopted is not valid, the adopter not being in the condition of a sonless man (Moore IV. 102.)

Adoption during pregnancy of wife.

57. Adoption cannot be made during pregnancy of the wife, as then the prospect of male issue presents itself (Pondits of Provl. Court S. D. 23d June 1817).

Second adoption on death of son adopted.

58. Adoption made by a man to replace an adopted son who had demised without leaving male issue is permissible, the condition of the man being the same as that of one whose begotten son had died (I. 78.)

Adoption by unmarried man.

59. An unmarried man cannot make adoption (S. U. Pundits 17th July 1851).

—and by female.

60. Unmarried males of whatsoever age, and females whether unmarried or married, are not

ಲ್ಲದವನೇ ಪುತ್ರಹೀನನನ್ನಿಸಿಕೊಳ್ಳುತ್ತಾನೆ. ಅವನೇ ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಮಾಡಿಕೊಳ್ಳಬೇಕು. ಪುತ್ರನು ಸತ್ತುಹೋದರೂ ಅವನ ಸಂತತಿಯವರು ಮಗನಂತೆಯೇ ಉತ್ತರಕ್ರಿಯೆಗಳಿಗೆ ಅಧಿಕಾರಿಗಳಾಗುತ್ತಾರೆ. (೧.೭೮; ಸದರ್ಲ್ಯಾಂಡ್ ೨.೨.೨).

ಕಕಿ ಯಿಲ್ಲದಿರುವಿಕೆ.

೫೫. ಜಾತಿಭ್ರಂಶದಿಂದಲಾಗಲಿ ಹುಚ್ಚಿನಿಂದಲಾಗಲಿ ತೀರದ ರೋಗದಿಂದಲಾಗಲಿ ಅಥವಾ ಯಿತರ ಕಾರಣದಿಂದಲಾಗಲಿ ಪುರುಷಸಂತತಿಯವರು ತನ್ನ ಸ್ವತ್ತಿಗೆ ಅರ್ಹರಾಗದೆ ಹೋದರೆ ತನ್ನನ್ನು ಪುತ್ರಹೀನನಾಗಿಯೇ ಭಾವಿಸಿ ದತ್ತಪುತ್ರನನ್ನು ಪಡೆಯಬಹುದು. (೧. ೭೭).

ಸ್ವೀಕೃತನಿರುವಾಗ ಮತ್ತೊಬ್ಬನನ್ನು ಸ್ವೀಕರಿಸಕೂಡದು.

೫೬. ತನ್ನ ಸ್ವೀಕೃತಪುತ್ರನು ಬದುಕಿಯಿದ್ದಾಗ ತಾನು ಪುತ್ರಹೀನನಲ್ಲವಾಗಿ ಮತ್ತೊಬ್ಬನನ್ನು ಸ್ವೀಕಾರ ಮಾಡಿಕೊಳ್ಳಲಾಗದು. (ಮೂರ್ ೧೨.೨).

ಹೆಂಡತಿ ಬಸುರಾಗಿರುವಾಗ ಸ್ವೀಕರಿಸುವಿಕೆ.

೫೭. ಭಾರ್ಯೆ ಗರ್ಭಿಣಿಯಾಗಿರುವಾಗ ಮಗನು ಹುಟ್ಟುವನೆಂಬ ಪ್ರತ್ಯಾಶೆ ಯಿರುತ್ತದೆಯಾಗಿ ಆವಾಗ ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಮಾಡಿಕೊಳ್ಳಕೂಡದು.(ದ. ಖಂ. ಪ್ರೊ. ಕೊ. ಪಂ. ೧೮೧೭ ಜೂನ್ ೨೩).

ಸ್ವೀಕೃತನು ಹೋದ ಮೇಲೆ ಮತ್ತೊಂದುಸ್ವೀಕಾರವು.

೫೮. ಸ್ವೀಕೃತನು ಮಕ್ಕಳಿಲ್ಲದೇ ಸತ್ತುಹೋದರೆ ಅಂತಾವನ ಮರಣವು ಔರಸಪುತ್ರನ ಮರಣಕ್ಕೆ ಸಮಾನವಾದ್ದಾದ್ದರಿಂದ ಅವನಿಗೆ ಬದಲಾಗಿ ಮತ್ತೊಬ್ಬನನ್ನು ಸ್ವೀಕರಿಸಿ ಕೊಳ್ಳಬಹುದು. (೧. ೭೮).

ಮದುವೆಯಿಲ್ಲದವನಸ್ವೀಕಾರ.

೫೯. ಮದುವೆಯಿಲ್ಲದವನು ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಮಾಡಿಕೊಳ್ಳಕೂಡದು. (ಸ,ಅ,ಪಂ, ೧೮೫೧ ಜುಲೈ ೧೭).

ಸ್ತ್ರೀಯರು ಮಾಡಿಕೊ—

೬೦. ಯೆಷ್ಟು ಪ್ರಾಯದವರಾದರೂ ಮದುವೆಯಿಲ್ಲದ ಗಂಡುಸರಿಗಾಗಲಿ ಮದುವೆಯಾದ ಹೆಂಗುಸರಿಗಾಗಲಿ ಯಿಲ್ಲದಹೆಂಗು

in danger of *Put*. No adoption on their account is hence necessary; neither would such adoption be valid.

—by widower.

61. Adoption by a widower is not valid (Dutta Mimamsa of Somanath). His remedy is to remarry and if necessary then to adopt.

—by person disqualified from inheriting.

62. A person disqualified from inheriting by blindness, disease &c, may adopt a son, but having no right of inheritance in himself he can transmit none to another (I. 77, 98; Sutherland 222—232).

63. One disqualified by insanity, however, could not adopt as loss of reason incapacitates him for any legal act (Mitacshara on Judicature and Law).

—by an outcaste.

64. The adoption by an outcaste would not be valid, he being incompetent to engage in any religious ceremony (Menu xi. 185). The Courts would however recognize the right in such a one to create an heir by testament, he being free of the restrictions of the Hindoo Law.

—by adopted person.

65. One who has been adopted can himself adopt a son. A family may thus be kept up by a succession of adoptions to any extent (S. U. Pundits, 22d Dec. 1845; 12th July 1852; 14th November 1853).

ಸರಿಗಾಗಲಿ ಪುತ್ಯೆಂಬ ನರಕವಿಲ್ಲವಾಗಿ ಪುತ್ರಸ್ವೀಕಾರ ಮಾಡಿಕೊಳ್ಳ ಕೆಲಸವಿಲ್ಲ. ಹೊಂದುವೇಳೆ ಅವರು ಮಾಡಿಕೊಂಡಾಗ್ಯೂ ಸಲ್ಲದು. ಳ್ಳುವಸ್ವೀಕರ.

೭೧. ಭಾರ್ಯೆಯಿಲ್ಲದವನು ಮಾಡಿಕೊಳ್ಳುವ ಪುತ್ರಸ್ವೀಕಾರ ಸಲ್ಲದು. (ಸೋಮನಾಥ ದತ್ತಮೀಮಾಂಸ) ಮದುವೆ ಮಾಡಿಕೊಂಡು ತರುವಾಯ ಆವಶ್ಯಕವಾದರೆ ಸ್ವೀಕಾರ ಮಾಡಿಕೊಳ್ಳುವದೇ ಇದಕ್ಕೆ ಪರಿಹಾರ. ವಿಪತ್ನೀಕನ ಪುತ್ರಸ್ವೀಕಾರ.

೭೨. ಕುರುಡತನ ರೋಗ ಯಾ ಮುಂತಾದವುಗಳಿಂದ ದಾಯಕ್ಕೆ ಅರ್ಹನಲ್ಲದೆ ಯಿರುವಂತಾವನೂ ಪುತ್ರಸ್ವೀಕಾರ ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಆದರೆ ಅವನು ದಾಯಾರ್ಹನಲ್ಲವಾಗಿ ಅವನಿಂದ ಸ್ವೀಕರಿಸಲ್ಪಟ್ಟ ಪುತ್ರನು ಸಹ ದಾಯಾರ್ಹನಾಗುವದಿಲ್ಲ. (೧. ಹಿ೨, ೯೮; ಸದರ್‌ಲ್ಯಾಂಡ್ ೨೩೨-೨೩೩) ದಾಯಕ್ಕೆ ಅರ್ಹನಲ್ಲದವ ಮಾಡುವ ಸ್ವೀಕಾರ.

೭೩. ಜ್ಞಾನಶೂನ್ಯನಿಗೆ ವ್ಯವಹಾರಯೋಗ್ಯತೆ ಯಿಲ್ಲವಾಗಿ ಹುಚ್ಚಿನಿಂದ ದಾಯಾರ್ಹತೆ ಯಿಲ್ಲದವನು ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಮಾಡಿಕೊಳ್ಳಕೂಡದು. (ಮಿತಾಕ್ಷರಿಯಲ್ಲಿ ವ್ಯವಹಾರಕಾಂಡವು)

೭೪. ಜಾತಿಭ್ರಷ್ಟನು ಕರ್ಮಗಳಿಗೆ ಅರ್ಹನಲ್ಲವಾಗಿ ಅವನಿಂದ ಮಾಡಲ್ಪಡುವ ಸ್ವೀಕಾರವು ಸಲ್ಲದು. (ಮನುವು ೧೧, ೧೮೫) ಆದರೂ ಅವನು ಹಿಂದೂಶಾಸ್ತ್ರಕ್ಕೆ ಕಟ್ಟುಬೀಳದವನಾದದರಿಂದ ಮರಣಶಾಸನವನ್ನು ಬರದು ತನ್ನ ತರುವಾಯ ಅಧಿಕಾರಿಯನ್ನು ಏರ್ಪಡಿಸಿಕೊಳ್ಳುವ ಅಧಿಕಾರವು ಅವನಿಗುಂಟೆಂದು ಕೋರ್ಟಿನವರು ಒಪ್ಪಿಕೊಳ್ಳುವರು. ಜಾತಿಭ್ರಷ್ಟನ ಪುತ್ರಸ್ವೀಕಾರ.

೭೫. ಸ್ವೀಕೃತನು ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಹೀಗೆ ಸ್ವೀಕಾರಪರಂಪರೆ ಯಿಂದಲೇ ಮೊಮ್ಮವರಿಗಾದರೂ ವಂಶವು ವೃದ್ಧಿಯನ್ನು ಹೊಂದಬಹುದು. (ಸ. ಅ. ಪಂ. ೧೮೪೫ ಡಿಶಂಬರ್ ೨೨; ೧೮೫೨ ಜುಲೈ ೧೨; ೧೮೫೩ ನವಂಬರ್ ೧೪.) ಸ್ವೀಕೃತನು ಮಾಡುವ ಸ್ವೀಕಾರ.

—by husband or wife.

66. The right of adoption, as between the husband and wife, vests absolutely in the husband. The adopted is however son to both his affiliating parents and performs the funeral rites of both (I. 78, 79).

—by wife or widow.

67. A wife or a widow may adopt under authority given by her husband; but the adoption in either case is on the husband's account, and not on that of the wife (I. 79).

68. To give such authorization a man does not require the consent of his father or coheirs, notwithstanding that the adoption will affect rights to the joint property (S. U. Pundits, 3d July 1845; 22d June 1850).

69. Direction to the wife to adopt may be given by the husband at any time (Pundits of Provl. Court C. D. 8th March 1825).

70. In granting authority to the wife to adopt it is not necessary that the son to be adopted should be named by the husband (Strange's Reports I. 91).

71. It is not necessary that the authorization should be in writing (I. 80).

72. The authorization may be acted upon by the widow after any lapse of time (S. U. Pundits 5th Oct. 1845; 17th July 1851).

పుత్రస్వీకారవు.

౬౬. స్వీకారాధికారవు గండ హెండతియరల్లి గండనిగేయే ఉంటు. ఆదరూ స్వీకృతను తన్న స్వీకృత రాద తాయితందెగళిబ్బరిగూ మగనాగి అపరక్రియెగళన్ను మాడుత్తానే. (౧. ౭౮, ౭౯) భార్యాభర్తర స్వీకార.

౬౭. ముత్తైదెయాగలి, విధవెయాగలి, తన్న గండన అనుమతియింద స్వీకారవన్ను మాబడరుదు. ఆదరూ స్వీకారవెంబదు గండనిగోస్కరవేయల్లదె భార్యెగోస్కరవల్లవు. (౧, ౭౯). ముత్తైదె యాగలి విధవెయాగలి మాడువ స్వీకార.

౬౮. కుటుంబద సముదాయ ద్రవ్యక్కె స్వీకారవు బాధకవాదరూ గండను తన్న హెండతిగె స్వీకారద అధికారవన్ను కొడువాగ తన్న తందె దాయాదర సమ్మతియన్నపేక్షిసకెలసవిల్ల. (స. అ. పం. ౧౮౭౫ జులై౩; ౧౮౫౦ జూన్ ౨౨).

౬౯. గండను యావాగలాదరూ భార్యెగె స్వీకారాధికారవన్ను కొడబరుదు. (మ. ఖం. ప్రి. కౌ. పం. ౧౮౨౫ మార్చి ౮).

౭౦. గండను భార్యెగె స్వీకారద అధికారవన్ను కొడువాగ ఇంతావనన్నే స్వీకరిసు వెంబదాగి గొత్తుమాడ కెలసవిల్ల. (ప్రేంజియవరరిపోర్టగళు ౧. ౯౧).

౭౧. అంతా అనుజ్ఞెయు లిఖితమూలకవాగి యిరబేకాద ఆవశ్యకవిల్ల. (౧. ౮౦).

౭౨. అనుజ్ఞెయన్ను పడెద విధవెయు యెష్టుకాలకాదరూ పుత్రస్వీకారవన్ను మాడికొళ్ళబరుదు. (స. అ. పం. ౧౮౭౫ అక్టోబర్ ౫; ౧౮౫౧ జులై ౧౨).

—by husband or wife.

66. The right of adoption, as between the husband and wife, vests absolutely in the husband. The adopted is however son to both his affiliating parents and performs the funeral rites of both (I. 78, 79).

—by wife or widow.

67. A wife or a widow may adopt under authority given by her husband; but the adoption in either case is on the husband's account, and not on that of the wife (I. 79).

68. To give such authorization a man does not require the consent of his father or coheirs, notwithstanding that the adoption will affect rights to the joint property (S. U. Pundits, 3d July 1845; 22d June 1850).

69. Direction to the wife to adopt may be given by the husband at any time (Pundits of Provl. Court C. D. 8th March 1825).

70. In granting authority to the wife to adopt it is not necessary that the son to be adopted should be named by the husband (Strange's Reports I. 91).

71. It is not necessary that the authorization should be in writing (I. 80).

72. The authorization may be acted upon by the widow after any lapse of time (S. U. Pundits 5th Oct. 1845; 17th July 1851).

ಪುತ್ರಸ್ವೀಕಾರವು.

೬೬. ಸ್ವೀಕಾರಾಧಿಕಾರವು ಗಂಡ ಹೆಂಡತಿಯರಲ್ಲಿ ಗಂಡನಿಗೇಯೇ ಉಂಟು. ಆದರೂ ಸ್ವೀಕೃತನು ತನ್ನ ಸ್ವೀಕೃತರಾದ ತಾಯಿತಂದೆಗಳಿಬ್ಬರಿಗೂ ಮಗನಾಗಿ ಅಪರಕ್ರಿಯೆಗಳನ್ನು ಮಾಡುತ್ತಾನೆ. (೧. ೬೮, ೬೯)

ಕಾರ್ಯಾಧಿಕಾರ ಸ್ವೀಕಾರ.

೬೭. ಮುತ್ತೈದೆಯಾಗಲಿ, ವಿಧವೆಯಾಗಲಿ, ತನ್ನ ಗಂಡನ ಅನುಮತಿಯಿಂದ ಸ್ವೀಕಾರವನ್ನು ಮಾಡಬಹುದು. ಆದರೂ ಸ್ವೀಕಾರವೆಂಬದು ಗಂಡನಿಗೋಸ್ಕರವೇಯಲ್ಲದೆ ಭಾರ್ಯೆಗೋಸ್ಕರವಲ್ಲವು. (೧, ೬೯).

ಮುತ್ತೈದೆಯಾಗಲಿ ವಿಧಂತುವಾಗಲಿ ಮಾಡುವ ಸ್ವೀಕಾರ.

೬೮. ಕುಟುಂಬದ ಸಮುದಾಯ ದ್ರವ್ಯಕ್ಕೆ ಸ್ವೀಕಾರವು ಬಾಧಕವಾದರೂ ಗಂಡನು ತನ್ನ ಹೆಂಡತಿಗೆ ಸ್ವೀಕಾರದ ಅಧಿಕಾರವನ್ನು ಕೊಡುವಾಗ ತನ್ನ ತಂದೆ ದಾಯಾದರ ಸಮ್ಮತಿಯನ್ನಪೇಕ್ಷಿಸಕೆಲಸವಿಲ್ಲ. (ಸ. ಅ. ಪಂ. ೧೮೬೫ ಜುಲೈ ೭; ೧೮೫೦ ಜೂನ ೨೨).

೬೯. ಗಂಡನು ಯಾವಾಗಲಾದರೂ ಭಾರ್ಯೆಗೆ ಸ್ವೀಕಾರಾಧಿಕಾರವನ್ನು ಕೊಡಬಹುದು. (ಮ. ಖಂ. ಪ್ರೊ. ಕೋ. ಪಂ. ೧೮೭೫ ಮಾರ್ಚ ೮).

೭೦. ಗಂಡನು ಭಾರ್ಯೆಗೆ ಸ್ವೀಕಾರದ ಅಧಿಕಾರವನ್ನು ಕೊಡುವಾಗ ಇಂತಾವನನ್ನು ಸ್ವೀಕರಿಸುಯೆಂಬದಾಗಿ ಗೊತ್ತುಮಾಡ ಕೆಲಸವಿಲ್ಲ. (ಪ್ರೆಂಜಿಯವರ ರಿಪೋರ್ಟಗಳು ೧. ೯೧).

೭೧. ಅಂತಾ ಅನುಜ್ಞೆಯು ಲಿಖಿತಮೂಲಕವಾಗಿ ಯಿರಬೇಕಾದ ಆವಶ್ಯಕವಿಲ್ಲ. (೧. ೮೦).

೭೨. ಅನುಜ್ಞೆಯನ್ನು ಪಡೆದ ವಿಧವೆಯು ಯೆಷ್ಟುಕಾಲಕ್ಕಾದರೂ ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಮಾಡಿಕೊಳ್ಳಬಹುದು. (ಸ. ಅ. ಪಂ. ೧೮೬೫ ಅಕ್ಟೋಬರ್ ೫; ೧೮೫೧ ಜುಲೈ ೧೨).

73. In default of authorization by the husband, his kindred, being the natural guardians of the widow, may empower her to adopt. (I. 79, 80); but without due authorization in one or other of these ways no adoption made by her will be valid (Duttaka Mimamsa of Nanda Pundita I. 15).

74. The authorization by a relative of the husband without the concurrence therein of his coheirs will not however suffice, they being on an equality with him and their joint action with him being hence essential (S. U. Pundits 9th October 1854).

Second adoption by widow.

75. On the demise of a son left by her husband a widow may adopt a son to replace him, if specially authorized so to do by her husband. She may also in like manner replace an adopted son who may demise, by making a second adoption (I. 78; Macnaughten Senr. 157; Decree of S. D. A. in A. 452 of 1850).

76. In the instance of replacing an adopted son a special authorization so to act on such contingency would not however be necessary, as in making the second adoption the widow would only be carrying out the wish of her husband that he should be represented by an adopted son, as expressed by his original authorization.

77. The second adoption, it must be observed, will not necessarily carry with it succession to the inheritance, as should the demised son have left a widow she will inherit.

Adoption by minor widow.

78. There is no limitation against a widow making adoption while in her minority. The hus-

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೭೩. ಗಂಡನ ಆಜ್ಞೆಯಿಲ್ಲದ ವಿಧವೆಗೆ ಸಹಜವಾಗಿ ಜ್ಞಾತಿಗಳು ಸಂರಕ್ಷಕರಾದದರಿಂದ ಅವರು ಪುತ್ರಸ್ವೀಕಾರಕ್ಕೆ ಅಧಿಕಾರವನ್ನು ಕೊಡಬಹುದು. (೧. ೭೯, ೯೦); ಇಂಥಾ ಯಾವ ಅನುಜ್ಞೆಯೂ ಯಿಲ್ಲದೆ ಹೆಂಗಸು ತಾನಾಗಿ ಮಾಡಿಕೊಂಡ ಸ್ವೀಕಾರ ಸಲ್ಲದು. (ನಂದಪಂಡಿತದತ್ತಮೀಮಾಂಸೆ ೧ ಅ. ಶ್ಲೋ೧೫).

೭೪. ಸಮಾಂಶಭಾಗಸ್ಥರಾದ ಜ್ಞಾತಿಗಳೆಲ್ಲರೂ ಸಮಾನರಾದದರಿಂದ ಮುಖ್ಯವಾಗಿ ಅವರೆಲ್ಲರೂ ಸೇರಿ ಮಾಡಬೇಕಾಗಿ ಯಿರುವಲ್ಲಿ ಅಂಥಾವರ ಅನುಮತಿಯಿಲ್ಲದೆ ಗಂಡನಜ್ಞಾತಿಯಾದವನೊಬ್ಬನುಮಾತ್ರ ಮಾಡಿದ ಅನುಜ್ಞೆಯು ಸಾಕಾದದಲ್ಲ. (ಸ. ಅ. ಪಂ. ೧೯೫೪ ಅಕ್ಟೋಬರ್ ೯).

೭೫. ಗಂಡನು ತೀರಿಹೋದತರುವಾಯ ಪುತ್ರನುಸತ್ತುಹೋದರೆ ವಿಶೇಷವಾಗಿ ಗಂಡನ ಅನುಜ್ಞೆಯನ್ನು ಪಡದ ಸ್ತ್ರೀಯು ಪುತ್ರಸ್ವೀಕಾರವನ್ನು ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಆ ರೀತಿಯಾಗಿ ಯೇ ಸ್ವೀಕೃತನು ಸತ್ತುಹೋದರೆ ಮತ್ತೊಂದು ಸ್ವೀಕಾರವನ್ನಾ ಮಾಡಿಕೊಳ್ಳಬಹುದು. (೧. ೭೯ ; ದೊಡ್ಡಮೆಕ್ನಾಟನ್ ೧೫೩; ಬಂ. ಸ. ದಿ. ಅ. ೧೯೫೦ ಯಿಸಿವಿಯ ಅಪೀಲ್ ನಂಬರ್ ೪೫_ರಲ್ಲಿ ಫೈಸಲ್).

ಸ್ತ್ರೀಯು ಮರಡನೆ ಮದುವೆ ಮಾಡಿಕೊಳ್ಳುವಿಕೆ.

೭೬. ಗಂಡನು ತನ್ನತರುವಾಯ ಒಬ್ಬ ಸ್ವೀಕೃತಪುತ್ರನು ಬೇಕೆಂಬದಾಗಿ ಯೇಶಿಶಿ ಯನುಜ್ಞೆ ಕೊಟ್ಟದರಿಂದ ಯೆರಡನೇ ಸ್ವೀಕಾರಕ್ಕೆ ವಿಶೇಷವಾಗಿ ಅವನ ಅನುಜ್ಞೆಬೇಕೆಂಬಆವಶ್ಯಕವಿಲ್ಲ.

೭೭. ಸತ್ತುಹೋದಸ್ವೀಕೃತಪುತ್ರನ ಭಾರ್ಯೆಯು ಜೀವಿಸಿಯಿದ್ದರೆ ಅವನ ದಾಯಕ್ಕೆ ಅವಳು ಬಾಧ್ಯಳಾಗುತ್ತಾಳೆಯಾಗಿ ಯೆರಡನೇ ಸ್ವೀಕೃತನಿಗೆ ಬಾಧ್ಯತೆ ವುಂಟಾಗಲಾರದು.

ಬಾಲವಿಧವೆಯು ಮಾಡಿಕೊಳ್ಳುವಸ್ವೀಕಾರ

೭೯. ಪುತ್ ಯೆಂಬ ನರಕದಿಂದ ಕೂಡ್ಲೆ ಗಂಡನನ್ನು ವಿಮುಕ್ತನಮಾಡುವದು ಆವಶ್ಯಕವಾದದರಿಂದ ವಿಧವೆಯು ತನ್ನ

band being in *Put*, the necessity for the adoption arises at once. The minor widow in making the adoption should however be supported by the consent of her guardians.

Essentials to adoption. 79. To effect adoption there must be both gift of the boy to be adopted and acceptance of him. The taking the boy in adoption without his having been given will not make a valid adoption (I. 95 ; S. U. Pundits 21st January 1844).

Consent of mother not necessary. 80. A father may give his son in adoption without the consent of the mother (I. 81).

Gift of boy by mother. 81. The mother cannot make such gift of her own authority while the father is living, except in case of urgent need when his assent may be presumed. If however the father have demised, or be civilly dead by permanent emigration, entry into a religious order, or loss of caste, the mother is at liberty to make the gift (I. 81, 82 ; Southerland 225).

—by brother. 82. One brother cannot give another in adoption, for brothers stand on an equality and one has no right over another thus to dispose of him (S. U. Pundits 21st February 1844 ; Decree of S. U. in A. No. 20 of 1851).

—by uncle. 83. In like manner an uncle cannot give a nephew in adoption (Pundit of Zillah Court of Chittoor, 23d Oct. 1829).

—by parents. 84. It follows that the parents, primarily the father, and failing him the mother, can alone dispose of a boy in adoption.

బాల్యదల్లి పుత్రస్వీకారమాడికొళ్ళువదక్కె కాలవ్యవస్థెయిల్లవాదాగ్యూ అవళు తన్న సంరక్షకర సమ్మతియన్ను హొందియే స్వీకారమాడికొళ్ళబేకు.

౭౯. స్వీకారవెంబదు సిద్ధిసువదక్కె కొడుగనదానపరిగ్రహగళెరడూ ముఖ్యక్రియెగళు. దానవిల్లదప్రతిగ్రహవు సల్లదు. (౧. ౭౫; స. అ. పం. ౧౮౪౪ జనవరి ౨౧). స్వీకార సిద్ధిగె ముఖ్య క్రియెగళు

౮౦. తాయిసంమతియిల్లదే తందెయు పుత్రదానవన్ను మాడబహుదు. (౧. ౮౧). తాయి సమ్మతి ఆవశ్యకవిల్ల.

౮౧. ఆవశ్యకతె యిద్ద పక్షదల్లి గండన ఆజ్ఞెయాదంతె భావిసి స్త్రీయు స్వతంత్రిసి పుత్రదానవన్ను మాడబహుదు. ఆదరూ గండను బదికియిద్దాగ హాగె మాడకూడదు. అవను సన్యాసియాదరూ, అథవా బహుకాల దేశాంతరక్కె హోద్దరిందలాగలి, సన్యాసదిందలాగలి, జాతిభ్రంశదిందలాగలి, మృతప్రాయనాదరూ స్త్రీయు స్వతంత్రిసి పుత్రదానవం మాడబహుదు. (౧. ౮౧, ౮౨; సదర్ ల్యాండ్ ౨౨౫). తాయి మగనన్ను కొడువికె.

౮౨. సహోదరరెల్లరూ సమానరాదదరింద ఒబ్బ సోదరనన్ను కొడువదక్కె మత్తొబ్బనిగె స్వాతంత్ర్యవిల్ల. (స. అ. పం. ౧౮౪౪ ఫెబ్రవరి ౨౧; స. అ. పం. ౧౮౫౧ అప్రిల్ నం ౨౮రల్లి తీర్పు). అణ్ణను తమ్మనన్ను కొడువికె.

౮౩. హాగెయే పితృవ్యనిగె దానాధికారవిల్ల. (చిత్తూరు జి. కో. పం. ౧౮౨౯ అక్టోబర్ ౨౩). పితృవ్యను కొడువికె.

౮౪. పుత్రదానదల్లి అధికారవు తాయితందెగళిగే యిదెయెంబదు పర్యవసితార్థవు. అంతా అధికారవు మొదలు తందెయదు. అవనిల్లదాగ తాయిదు. తాయితందెగళ దానవు

Gift or acceptance by prostitute invalid.

85. A postitute, having lost caste, can neither give or accept a son in adoption (Pro. of S. U. 11th November 1844).

Boy to be of caste of adopter.

86. The child to be adopted must be of the same caste as the adopter, else he will not be competent to perform the funeral rites of the adopter, or to inherit his property (I. 82) ; neither would he save him from *Put.*

87. He should be of the same Gotra, or family, as that of the adopter ; but this is not imperative (II. 98. 99. C and E. ; Sutherland 223, 224).

Degrees prohibited for adoption.

88. According to an original text the child to be adopted should be such as may be looked upon as "the reflection of a son." This is held to mean "the resemblance of a son," or such a one as the adopter might have legally begotten (Duttaka Mimamsa of Nanda Pundita V. 16) ; that is one whose mother he might have legally married (I. 83 ; Sutherland 223).

89. Pursuant to this rule a brother, a paternal or maternal uncle, or a daughter's or sister's son, could not be adopted (I. 83).

Adoption of daughter's or sister's son.

90. Soodras are however specifically exempted from this rule in so far that they may adopt daughter's or sister's sons (I. 83, 84).

೮೫. ವ್ಯಭಿಚಾರಿಯಾದವಳು ಜಾತಿಭ್ರಷ್ಟೆಯಾದದರಿಂದ ಅವಳಿಗೆ ಪುತ್ರದಾನ ಪರಿಗ್ರಹಗಳು ಸಲ್ಲವು. (ಸ. ಅ. ಪ್ರೊಸೀಡಿಂಗ್ಸ್ ೧೮೪೪ ನವಂಬರು ೧೧).

ಪುತ್ರದಾನ ಪರಿಗ್ರಹಗಳು ಜಾರಿಣಿಗೆ ಸಲ್ಲವು.

೮೬. ಅನ್ಯಜಾತಿಯವನಾದ ಸ್ವೀಕೃತನು ತಂದೆಯ ಅಪರಕ್ರಿಯೆಗಳನ್ನು ಮಾಡುವದಕ್ಕಾದರೂ ಅವನ ಸ್ವತ್ತನ್ನು ಹೊಂದುವದಕ್ಕಾದರೂ (೧. ೮೨) ಪುನ್ನಾಮನರಕವನ್ನು ತಪ್ಪಿಸುವದಕ್ಕಾದರೂ ಅರ್ಹನಲ್ಲವಾದದರಿಂದ ಸ್ವೀಕರಿಸಲ್ಪಡುವವನೂ ಸ್ವೀಕರಿಸುವವನೂ ಒಂದೇಜಾತಿಯವರಾಗಿರಬೇಕು.

ಸ್ವೀಕೃತನು ಸ್ವೀಕಾರ ಮಾಡಿಕೊಳ್ಳುವವನಿಗೆ ಸಜಾತೀಯನಾಗಿರಬೇಕು.

೮೭. ಸ್ವೀಕಾರ ಮಾಡಿಕೊಳ್ಳುವವನಿಗೆ ಹುಡುಗನು ಸಗೋತ್ರನಾಗಿರಬೇಕು; ಆದರೆ ಈ ವಿಧಿನಿಯತವಲ್ಲ. (೨. ೯೮, ೯೯, ಶೊ. ೬); ಸದರ್‌ಲ್ಯಾಂಡ್ ೨೨೩, ೨೨೪).

೮೮. ಸ್ವೀಕರಿಸಲ್ಪಡತಕ್ಕವನು ಸ್ವೀಕರಿಸುವವನಿಗೆ ಔರಸಪ್ರತಿಬಿಂಬನಾಗಿರಬೇಕೆಂದು ಮೂಲಸ್ಮೃತಿವಚನವು. ಅಂದರೆ— ಪುತ್ರಸಮನಾಗಿರಬೇಕೆಂದು ಅರ್ಥವು. ಅಂದರೆ ಸ್ವೀಕರಿಸಲ್ಪಡತಕ್ಕವನು ಸ್ವೀಕರಿಸುವವನಿಗೆ ಮಗನವಾವಿಗೆ ತಕ್ಕವನಾಗಿರಬೇಕೆಂದುನಿರ್ಣೀತಾರ್ಥವು. (ನಂದಪಂಡಿತದತ್ತಕಮೀಮಾಂಸೆಯಲ್ಲಿ.- ೫ ಅ. ೧೫(ಶ್ಲೋ) ಹೀಗೆ ಹೇಳುವದರಿಂದ ಸ್ವೀಕರಿಸಲ್ಪಡತಕ್ಕವನ ತಾಯಿ ಸ್ವೀಕರಿಸುವವನಿಗೆ ನ್ಯಾಯವಾಗಿ ಮದುವೆಯಾಗುವದಕ್ಕೆ ತಕ್ಕವಾವಿ ಯುಂಟಾದವಳಾಗಿರಬೇಕೆಂದು ತಾತ್ಪರ್ಯವು. (೧. ೮೩; ಸದರ್‌ಲ್ಯಾಂಡ್ ೨೩೩).

ಸ್ವೀಕಾರಕ್ಕೆ ಸಲ್ಲದ ವಾವಿ.

೮೯. ಈ ವಿಧಿಯಿಂದಲೇ ಸಹೋದರನು, ತಂದೆಯ ಸೋದರನು, ಸೋದರಮಾವನು, ದೌಹಿತ್ರನು, ಸೋದರಅಳಿಯನು, ಇವನುಗಳು ಸ್ವೀಕಾರಕ್ಕೆ ಅರ್ಹರಲ್ಲವು. (೧. ೮೩).

೯೦. ಶೂದ್ರರಿಗೆ ಮಗಳಮಗನನ್ನಾ ಸೋದರಳಿಯನನ್ನಾ ಸ್ವೀಕರಿಸುವದರಲ್ಲಿ ನಿಷೇಧವಿಲ್ಲ. (೧. ೮೩, ೮೪).

ಮಗಳ ಮಗ, ಸೋದರಳಿಯ, ಇವರ ಸ್ವೀಕಾರ.

91. All classes may make such adoption in emergency (Pro. of S. U. 4th & 25th June 1836).

92. The custom of making such adoption, even without emergency, prevails in South India (Pro. of S. U. 4th and 25th June 1836); that is in the Drauvida country.

93. This usage is upheld by the Vyavahara Mayookha (S. U. Pundits 25th Feb., 1839) and the Vythenatha Deetcheteyam (S. U. Senr. Pundit 16th May 1855).

94. Such usage does not however prevail in the Northern part of the Presidency (Pundits of Provl. Ct. N. D. 1804).

—of brother.

95. The adoption of a brother is invalid (Decree of S. U. in A. No. 20 of 1851).

—of wife's brother.

96. The adoption of the wife's brother is however practised, and this may be justified by the circumstance that the adoption is made to the husband, not to the wife; so that it is his relatives within a particular degree that are barred from adoption, not her's.

Prohibited degrees summed up.

97. The conslusion to be drawn is that the adopted must be one whom the adopter might have legally begotten, save that in the Drauvida country usage has sanctioned the departure from the rule to the extent that there a daughter's or a sisters son may be adopted; and that Soodras any where may make adoption of a daughter's or a sister's son; and other classes any where on emergency arising.

ಪುತ್ರಸ್ವೀಕಾರವು.

೯೧. ಆವಶ್ಯಕವಾದಪಕ್ಷದಲ್ಲಿ ಮೇಲ್ಲವರ್ಣದವರೂ ಪೂರ್ವ ತಿಳಿಸಿದಮೇರೆ ಸ್ವೀಕಾರಮಾಡಬಹುದು. (ಸ. ಅ. ಪ್ರೊ. ೧೮೩೬ ಜೂನ್ ೪, ೨೫).

೯೨. ಆವಶ್ಯಕತೆಯಿಲ್ಲದೆಯೇ ಅಂತಾ ಸ್ವೀಕಾರ ಮಾಡಿಕೊಳ್ಳುವ ಆಚಾರವು ದ್ರಾವಿಡದೇಶದಲ್ಲುಂಟು (ಸ. ಅ. ಪ್ರೊ. ೧೮೩೬ ಜೂನ್ ೪, ೨೫).

೯೩. ವ್ಯವಹಾರಮಯೂಖದಲ್ಲಿಯೂ, (ಸ. ಅ. ಪಂ. ೧೮೩೯ ಫೆಬ್ರವರಿ ೨೫.) ವೈದ್ಯನಾಥದೀಕ್ಷಿತೀಯದಲ್ಲಿಯೂ (ಸ. ಅ. ದೊಡ್ಡಪಂ. ೧೮೫೫ ಮೇ ೧೫ ತಾ॥) ಈ ಆಚಾರವು ಆದರಿಸಲ್ಪಟ್ಟಿದೆ.

೯೪. ಈ ರಾಜಧಾನಿಗೆ ಸೇರಿದ ಉತ್ತರದೇಶದಲ್ಲಿ ಯೀ ಆಚಾರವಿಲ್ಲವು. (ಉ. ಖಂ. ಪ್ರೊ. ಕೊ. ಪಂ. ೧೮೦೪)

೯೫. ಸಹೋದರಸ್ವೀಕಾರ ಸಲ್ಲದು. (ಸ. ಅ. ೧೮೫೧. ಅ. ನಂ. ೨೦ಗಲ್ಲು ಫೈಸಲ್.

ಭ್ರಾತನ ಸ್ವೀಕಾರ.

೯೬. ಭಾರ್ಯೆಯ ಸಹೋದರನನ್ನು ಸ್ವೀಕರಿಸುವ ಆಚಾರವುಂಟು. ಸ್ವೀಕಾರವು ಪುರುಷನಿಗೋಸ್ಕರವೇ ಹೊರತು ಸ್ತ್ರೀಗೋಸ್ಕರವಲ್ಲವಾಗಿ ಈ ಸ್ವೀಕಾರವು ಸಂಮತವಾಗಬಹುದು. ಆದ್ದರಿಂದ ಸ್ವೀಕಾರವಿಷಯವನ್ನು ಕುರಿತು ನಿಷಿದ್ಧವಾದವಾವಿ ಪುರುಷನ ಬಂಧುಗಳಲ್ಲಿ ಯೇರ್ಪಡುತದೆಯೇಹೊರತು ಸ್ತ್ರೀಯ ಬಂಧುಗಳಲ್ಲಿಲ್ಲವು.

ಹೆಂಡತಿಯ ಸಹೋದರನ ಸ್ವೀಕಾರ.

೯೭. ಸ್ವೀಕೃತನು ಸ್ವೀಕರ್ತನಿಗೆ ನ್ಯಾಯ್ಯವಾಗಿ ಮಗನವಾವಿಗೆ ತಕ್ಕವನಾಗಿರಬೇಕೆಂದು ಪರ್ಯವಸಿತಾರ್ಥವು. ಈ ವಿಧಿಗೆ ವಿರುದ್ಧವಾಗಿ ದ್ರಾವಿಡದೇಶದಲ್ಲಿಮಾತ್ರ ದೌಹಿತ್ರಭಾಗಿನೇಯರನ್ನು ಸ್ವೀಕರಿಸುವ ಆಚಾರವುಂಟು. ಸರ್ವದೇಶಗಳೊಳಗೂ ಶೂದ್ರರು ದೌಹಿತ್ರಭಾಗಿನೇಯರನ್ನು ಸ್ವೀಕರಿಸಬಹುದು. ಇತರವರ್ಣದವರು ಸಹ ಆವಶ್ಯಕತೆ ಯಿದ್ದರೆ ಹಾಗೆ ಮಾಡಿಕೊಳ್ಳಬಹುದು.

ಸಲ್ಲದ ವಾವಿಗಳನ್ನು ತಿಳಿಸುವಿಕೆ.

Adoption of eldest or only son.

98. The adoption of an eldest or only son is prohibited (I. 85).

99. This prohibition has however been considered only directory, and however blameable in the giver to have parted with his eldest or only son, the adoption of such a one, if made, has been held to be valid (I. 87; Pro: of S. U. 31st July 1824, and 28th July 1825).

It has also been laid down that the prohibition in question does not extend to the adoption of the eldest or only son of a brother who would stand as *Dwyamushyayana* or son to both parents, the natural and the adoptive father (I. 86).

There appear to be serious objections to these limitations of the prohibition under consideration. As the very birth of a son delivers the father from danger of *Put*, the eldest or only son, as he comes into the world, secures this deliverance to his parent. The son can however secure no more. The efficacy of his birth has been expended on his natural father, and it is not available for another. He cannot effect a second deliverance from the danger of *Put* in behalf of another. Neither can the benefit, already insured, be withdrawn from the natural father and conferred upon another. The adoption of an eldest or an only son would hence avail nothing to beliver the adoptive father from *Put*. The adoption would fail in its

౮౭. జ్యేష్ఠపుత్రనన్నాగలి యేకపుత్రనన్నాగలి స్వీకరిసకూడదు. (౧. ౮౫).

జ్యేష్ఠ పుత్ర అథ వా యేకపుత్రనన్ను స్వీకరిసువికె.

౮౮. ఈ నిషేధవు కేవల ప్రమాణవేంఖోరకు యేకపుత్రజ్యేష్ఠ పుత్రర దానవు దానమాడువవనిగెష్టు దోషావహవాదాగ్యూ నడెదుహోద ఇంతా స్వీకారవు సల్లువదు. (౧. ౮౩; స. అ. ప్రొ. ౧౮౭౪ జులై ౩౧; ౧౮౭౫ జులై ౨౮).

యేకపుత్రనాగలి జ్యేష్ఠపుత్రనాగలి తందెగూ అవన సహోదరనిగూ ద్వ్యాముష్యాయణనాగుత్తానాద్దరింద సహోదరన యేకపుత్ర జ్యేష్ఠపుత్ర స్వీకారదల్లి యీ నిషేధవిల్లవెందు హేళల్పట్టిదె (౧.౮౬).

ప్రకృత నిషేధవ్యవస్థెగె ప్రబలగళాద దూషణగళుంటు. పుత్రనజన్మచే పుత్ యెంబ నరకదింద తందెయన్ను విముక్తనం మాడుతదెయాగి జ్యేష్ఠపుత్రనాగలి యేకపుత్రనాగలి హుట్టిదకూడ్లె తన్నతందెగె నరక విమోచనవన్ను మాడుత్తానె. ఆద్దరింద అవను పునః విమోచనవం మాడిసలారను. పుత్రజన్మద ఫలవు జనకపితనల్లి వినియోగిసల్పట్టితు. అన్యనిగె వినియోగిసలారదు. అన్యనిగె పున్నామనరకదింద మెరడనెయ విమోచనవన్ను హుట్టిసలారదు. పూర్వవే సందుహోద ప్రయోజనవు జనకపితన దెసెయింద మరళి గ్రహిసల్పట్టు అన్యనిగె కొడల్పడకూడదు. ఆద్దరింద యేకపుత్ర జ్యేష్ఠపుత్ర స్వీకారవు స్వీకర్తనిగె పుత్ యెంబ నరకదింద విముక్తనమాడువ ఫలవన్ను హుట్టిసలారదు. ఈ కారణదమేలె స్వీకారద ముఖ్య ఫలవిల్లవాగి అదు సల్లలారదు. ద్వ్యాముష్యాయణనెంబ నిమిత్తదింద సహోదరన యేకపుత్ర జ్యేష్ఠపుత్ర స్వీకారవు మాడబ

essential use and be for this cause void. And as respects the exception in favor of the adoption of the eldest or only son of a brother on the ground that he becomes *Dwyamushyayana* or son to both parents, this form of son, however constituted, belongs, it must be observed, to the obsolete law. Neither has the adoption of an eldest or only son prevailed to such an extent as to establish the practice as a recognized usage. It is of rare occurence. The conclusion hence is that the prohibition against the adoption of an eldest or an only son is absolute, and that such adoption, under whatsoever circumstances made, is void.

Preferable subject for adoption.

100. Subject to the above restrictions the nearest male relation is the most appropriate object for adoption. This would be the son of a brother of the whole blood. Such selection is merely recommended, not imperatively enjoined (I. 84, 85).

Adoption of illegitimate son.

101. An illegitimate son, being out of the pale of caste, may not be adopted (S. U. Pundits 18th July 1853).

—of daughters.

102. The adoption of daughters is not recognized (Pro, of S. U. 23d November 1847), for a daughter cannot save from *Put* (Koollooka Bhut on Menu IX. 133).

Adoption by dancing girl.

103. A dancing girl however may make adoption of a daughter. She cannot do so of a son(S. U. Pundits 12th Sept. 1853).

కుటుంబ విశేష విధి యేర్పట్టిదెయెంబోదకు యీ యే ర్పాడింతాద్దాదాగ్యూ ప్రకృతదొళగె. ఆచరణెయల్లి ల్లవు. ఈ జ్యేష్ఠపుత్రస్వీకారవాగలి యేకపుత్రస్వీకార వాగలి ఆచారసిద్ధవాద్దెంబువష్టు ప్రచారగొండిరువదిల్ల. ఈ ఆచార అపూర్వవాద్దాద్దరింద కడెగె యీ జ్యేష్ఠపుత్ర యేకపుత్రస్వీకారదల్లిరువ నిషేధవు దుర్వారవాద్దు. ఈ స్వీకార యావమేరె నడదాగ్యూ సల్లలారదు.

౧౦౦. పూర్వ హేళిదనిషిద్ధ కోటివినా పురుషన సమీప బంధువు స్వీకారక్కె అత్యంత అర్హను. ఇంతా వను యేకోదరనాద భ్రాతనపుత్రను. ఈ వివేచనె ఆగ బహుదెందు మాత్ర హేళ్పట్టదెయల్లదె అవశ్య విధేయవా ద్దల్లవు.(౧. ౮౪, ౮౫).

స్వీకారక్కె తక్కవను.

౧౦౧. కూడికెయవళమగను జాతివ్యవస్థెగె తప్పిదవ నాద్దరింద స్వీకారక్కె అర్హనల్లవు. (స. అ. పం. ౧౮౫౩ జులై ౧౮).

కూడికె యవళ మగనన్ను స్వీకరిసువికె.

౧౦౨. పుత్రికెయు పుత్ యెంబ నరకదింద విమోచన మాడలారళు. (మనువ్యాఖ్యానెయాద కుల్లూకభట్టీయ దల్లి ౯అ. శ్లో. ౧౩౩). ఆద్దరింద పుత్రికా స్వీకారవు అం గీకరిసల్పట్టద్దల్లవు. (స. అ. ప్రో ౧౮౪౩ నవంబర్ ౨౩).

పుత్రికెయన్ను స్వీకరిసువికె.

౧౦౩. వేశ్యెయు మగనన్ను స్వీకరిసబహుదల్లదె మగ నన్ను స్వీకరిసకూడదు. (స.అ.పం. ౧౮౫౩ సెప్టంబర్ ౧౨).

వేశ్యె మాదువస్వీకార.

104. Dancing girls form an exception in the Hindoo community. They do not marry but live in professional concubinage, which does not degrade them from caste if not carried on with an outcaste. Having no husbands, adoption cannot be made in that channel. They are consequently allowed to make adoption themselves for transmission of their property, and this must be of a daughter as the descent from a female is in the female line. To adopt, the dancing girl must accordingly be daughterless. It is immaterial whether she have a son or not.

Period for adoption.

105. On adoption being made by a widow in the behalf of her deceased husband, it is not necessary that the boy to be adopted should have been born, or even conceived, during the life time of her husband (S. U. Pundits 8th Oct. 1849; 10th July 1851).

—before performance of Oopanayana.

106. Among Brahmins, Cshatriyas and Vysyas a boy cannot be adopted on whom the ceremony of Oopanayana, or investiture with the thread, has been performed (S. D. A. V. 51; Sutherland 227).

107. This ceremony, as before observed, marks the entry of the boy on the grade of *Brahmachari*, or student of the Vedas. The term *Oopanayana* signifies "drawing near"; that is to study. Other observances, such as tonsure, accompany this ceremonial, but the occurrence of these will not bar adoption since they may be re-

పుత్రస్వీకారవు.

౧౦౪. సూళెయరు ఱిందుగళ జాతివ్యవస్థెగె ఒళపట్టవరల్లవు. అవరిగె వివాహవిల్ల. కూడికెయిందలే జీవన. నికృష్టజాతియవనొడనె హోదరేనేహొరతు కూడికెయింద అవరిగె జాత్యవమానవేనూ యిల్లవు. ఇవరిగె గండందరిల్లదకారణ పురుషవర్గదల్లి స్వీకారసల్లదు. ఆద్దరింద యివరు తమ్మ స్వత్తన్ను కొడువదకోస్కర తావే స్వీకరిసబహుదు. ఇవరుగళిగె స్త్రీపరంపరె ముఖ్యవాద్దరింద హెంణుమక్కళన్నే స్వీకరిసికొళ్ళబేకు. సూళెయరిగె హెంణుమక్కళిల్లదిద్దరేయే యావాగ్యేరె స్వీకార మాడబహుదు. అవళిగె పుత్రసిద్దరూసరి యిల్లదిద్దరూసరి అదేనూ ముఖ్యవాద్దల్ల.

౧౦౫. వితంతువు తన్న గండనిగోస్కరగ స్వీకరిసువ హుడుగను అవళ గండను బదికియిద్దాగ హుట్టియాగలి X భర్భగతనాగియాగలి యిరబేకెంబ ఆవశ్యకవిల్ల. (స. అ. పం. ౧౮౪౯ అక్టోబర్ ౮; ౧౮౫౧ జూలై ౧౦).

౧౦౬. బ్రాహ్మణక్షత్రియ వైశ్యరల్లి ఉపనయనవాద హుడుగనన్ను స్వీకరిసకూడదు. (బం. స. ది. అ. ౫. ౫౧ సదర్ల్యాండ్ ౨౨౨). ఉపనయ నక్కెముంతె.

౧౦౭. ఉపనయనవెంబదు హుడుగన బ్రాహ్మచర్యాశ్రమప్రవేశక్కె గురుతు. ఉపనయనవెందరె సమీపిసువికె— వేదాధ్యయనకోస్కర ఆచార్యన సమీపక్కె హోగువికెయెందు తాత్పర్యవు. చౌలాదికర్మగళు యిదక్కె పూర్వ నడెయుతవె: హాగె యివుగళు నడెయువదరింద స్వీకారక్కేనూ అడ్డియిల్లవు. ఈ కర్మగళన్ను స్వీకారమాడువవను మరళి మాడబహుదు. నడెద ఉపనయనవన్ను

performed in the adopting family. The *Oopanayana* cannot be undone or repeated, and its occurrence presents an absolute bar to adoption.

108. *Oopanayana* must be performed among Brahmins within the age of eight, among Cshatriyas of eleven, and among Vysyas of twelve (Decree of S. U. in A. 18. of 1814).

—Before marriage.

109. The *Oopanayana not attaching to* Soodras, the limit for adoption with them is their marriage. A Soodra cannot be adopted after he has contracted marriage (I. 91).

110. As the state of marriage follows that of studentship it is apparent that no married person, of whatsoever caste, can be taken in adoption (I. 35, note, and 91).

Form of adoption.

111. An adoption need not be made in writing. There should be attendance of relations and notice to the ruling local authority, and also sacrifice, oblation and prayer ; but the non-observance of these formalities will not invalidate an adoption ; saving as respects the *Datta-homam* or sacrifice by fire. With this exception gift of the adopted and acceptance of him, manifested by some overt act, are alone absolutely essential to effect adoption (I. 93. 97. II. 114 E.).

112. Omission of the *Datta-homam* will invalidate an adoption made by the three higher castes. Soodras are not under the rule.

113. There is in the present age no other valid form of adoption than that by free gift of the bo

తప్పిసి మత్తొందుసల ఉపనయన మాడిసకూడదు. ఉపనయన నడెదిద్దరె స్వీకారక్కె అదు ప్రబలవాద అడ్డియాగిరుతదె.

౧౦౮. ఉపనయనవు బ్రాహ్మణరిగె ఎంటు వరుషగళ వయస్సినల్లియూ, క్షత్రియరిగె హన్నొందరల్లియూ, వైశ్యరిగె ౧౨ రల్లియూ, నడెయతక్కద్దు (స. అ. ౧౮౧౪ అ. నం. ౧౮ రల్లిశ్రీసల్).

౧౦౯. శూద్రరిగె ఉపనయన విల్లవాగి వివాహక్కె పూర్వస్వీకార యావాగలాదరు నడెయబహుదు మదువె యాదబళిక కూడదు(౧. ౯౧). వివాహక్కె పూర్వ.

౧౧౦. వివాహద దశెయు విద్యార్థిదశెగె తరువాయవాద్దరింద సర్వ వర్ణగళల్లియూ, మదువె యాదవనన్ను స్వీకరిసకూడదెంబదు స్పష్టవాద్దు. (౧.౩౫, నోటు. ౯౧)

౧౧౧. స్వీకారక్కె లిఖిత ఆవశ్యకవిల్లవు- బంధుగళు బందిరబేకు. దేశాధికారిగళిగె తిళిసబేకు. హోమ పారాయణగళు నడెయబేకు. ఈ క్రమగళు నడెయదె హోదాగ్యూ స్వీకారక్కె హానియిల్లవు. దత్తహోమ తప్పకూడదు. దత్తహోమ దానపరిగ్రహగళు ప్రకటవాగిన డిసువికెయే స్వీకారసిద్ధిగె బహళ ఆవశ్యవాద్దు. (౧.౯౩ ౯౨; ౨. ౧౧౪ ఎ) స్వీకార క్రమ.

౧౧౨. దత్తహోమ తప్పిహోదరె మొదలనేమూరు వర్ణదవరూ మాడువ స్వీకార సల్లదు. ఈ నియమవు శూద్రరిగావశ్యకవిల్లవు.

౧౧౩. ఈ యుగదల్లి నిరపేక్షవాగి మగనన్ను దానమాడువదక్కంతలూ స్వీకారక్కె దృఢత్వవన్నుంటు

adopted. The obtaining a boy by purchase is for example unlawful, and an adoption so brought about will not stand (I.75 ; II. 133. 188—193).

Attendance of wife.

114. It has been ruled that since the giver and the acceptor are the principal persons the presence even of their wives is not essential (Decree of S. U. in A 8. of 1839). The presence of the wives is however needed because of the performance of *Duttahomam,* as they must take part in religious observances with their husbands (Mitacshara II. I. 5).

Rights of the adopted.

115. Adoption takes the adopted out of his own family and makes him son to his adoptive father in all respects as if naturally born to him (I. 41, 97).

116. Right of inheritance in the family of his adoptive father, both lineally and collaterally, belongs to him (I. 97). He at the same time loses all right of property in his natural family (Menu IX. 142).

117. On adoption being made by a widow the property of the deceased husband passes at once from her to the son adopted (I. 101).

Prohibited degrees in marriage of the adopted.

118. The adopted son cannot contract marriage in the family of his adoptive father within the prohibited degrees (I. 41). Neither can he do so in his own (Nirnava Sindhu).

మాడువ క్రియె బేరొందిరలారదు. ఇదక్కె దృష్టాంత వేనందరె—కుడుగనన్ను ఖరీదిగెతెగదు స్వీకరిసువదు శాస్త్రసిద్ధవాద్దల్లవెంబదు. హీగె మాడిదస్వీకారవు నిల్లలారదు—(౧. ౭౫; ౨. ౧౩౩, ౧౧౮—౧౯౩).

భార్యాసన్నిధానవు.

౧౧౪. పుత్రనన్ను స్వీకరిసువదరల్లి కొట్టు తెగదు కొళ్ళతక్కవరే ముఖ్యరాద్దరింద అవరుగళ హెండతియరుసహ సమక్షమదొళగిరబేకెంబ ఆవశ్యకవిల్లవెందు తీర్పు మాడల్పట్టిదె. (స. అ. ౧౮౩౯ అ, నం. ౮ రల్లు ఫ్కైసల్). దత్తహోమవు పత్నిగళిల్లదె నడిసలాగదాద్దరింద అవరు సమక్షమదల్లిరబేకాద్దు ఆవశ్యకవు. (మితాక్షర ౨ కాం. ౧ అ. ౫. శ్లో).

స్వీకృతన అధికార.

౧౧౫. స్వీకారదదెసెయింద స్వీకృతను తన్న జనకపితన సంబంధ తప్పిసల్పట్టు సర్వవిధదల్లియూ స్వీకృతనిగె ఔరససమాననాగుత్తానె. (౧. ౪౧, ౯౭).

౧౧౬. స్వీకృతన దాయదొళగణ అధికారవు వంశపారంపర్యవాగియాగలి, దాయాదిత్వదిందలాగలి స్వీకృతనన్ను హొందువదు. (౧. ౯౭). అష్టుమాత్రదిందలే స్వీకృతనిగె జనకపితన దాయదల్లి సంబంధనివృత్తవాగుత్తదె (మను. ౯. ౧౪౨).

౧౧౭. వితంతువుస్వీకార మాడికొండకూడ్లే మృతనాద అవళగండన ద్రవ్యవు అవళ దెసెయింద స్వీకృతనన్ను సేరుతదె. (౧. ౧౦౧).

స్వీకృతన వివాహక్కె వావియుళ్ళవరు.

౧౧౮. స్వీకృతను స్వీకర్తన బంధుగళల్లి సల్లదవాడియుళ్ళవరన్ను వివాహ మాడికొళ్ళకూడదు. (౧. ౪౧. తన్న జనకపితన బంధుగళల్లి కూడ అమేరె మాడికొళ్ళలాగదు. (నిర్ణయసింధు).

—in making adoption by the adopted.

119. Neither can he make adoption from his natural family of those whom he could not have adopted if remaining in it.

Position of one whose adoption is invalid.

120. The severance of the boy from his natural family by gift made of him for adoption is so absolute that he cannot be re-attached to his natural family or be re-admitted to his rights of property therein, even should his adoption into the adopting family not stand good in law. Being devoid of inheritance in either family he remains a charge upon his adopter for maintenance (I. 82).

Adoption cannot be cancelled

121. A valid adoption once made cannot be can celled (II. 111, C).

Son born after adoption

122. On a son being born naturally to a man after he may have taken one in adoption, the adopted son receives but a fourth share (Elberling 71 ; Mitacshara I. XI, 24); that is a fourth of what forms the share of the son begotten. The property is divided into five parts of which the adopted son gets one and the after born son four (Saraswaty Vilasa on Inheritance).

123. This proportion would be kept up, however many the after born sons might be (S. U, Senr. Pundit 1st September 1853).

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೧೧೯. ದತ್ತನಾಗುವದಕ್ಕೆ ಮುಂಚೆ ತಾನು ಸ್ವೀಕರಿಸಕೂಡದವರನ್ನು ದತ್ತನಾದಬಳಿಕಲೂ ಸ್ವೀಕರಿಸಕೂಡದು.

ಸ್ವೀಕೃತನು ಸ್ವೀಕರಿಸಕೂಡದವರು.

೧೨೦. ದತ್ತನಾದಕೂಡ್ಲೆ ಜನಕಪಿತನೊಡನೆ ಸಂಬಂಧ ಶುದ್ಧಾಂಗ ಬಿಟ್ಟುಹೋದ್ದರಿಂದ ಯಿವನ ಸ್ವೀಕಾರವ ಶಾಸ್ತ್ರೀಯವಾಗಿ ಸಲ್ಲದೆ ಹೋದಾಗ್ಯೂ ಯಿವನು ಜನಕಪಿತನ ದಾಯದಲ್ಲಿ ಭಾಗಾಧಿಕಾರಿಯಾಗಲಿ ಅವನಿಗೆ ಮರಳಿ ಪುತ್ರನಾಗಲಿ ಆಗಲಾರನು. ಉಭಯಪಕ್ಷದಲ್ಲಿಯೂ ಇವನು ದಾಯವನ್ನು ತಳಕೊಂಡು ಸ್ವೀಕರ್ತನಿಗೆ ಪೋಷ್ಯಮಾತ್ರನಾಗಿರುತ್ತಾನೆ. (೧. ೮೨)

ಸಲ್ಲದ ಸ್ವೀಕಾರ ಪುಳ್ಳವನ ದಶೆ.

೧೨೧. ನ್ಯಾಯ್ಯವಾದ ಸ್ವೀಕಾರ ವೊಂದುಸಲವಾದ್ದು ಅಸಿದ್ಧಿಯಾಗಲಾಗದು. (೨. ೧೧೧ ಕೋ).

ಸ್ವೀಕಾರವು ರದ್ದಾಗಲಾರದು.

೧೨೨. ಸ್ವೀಕಾರಕ್ಕೆ ತರುವಾಯ ಔರಸನು ಹುಟ್ಟಿದರೆ ಸ್ವೀಕೃತನಿಗೆ ನಾಲ್ಕನೇಪಾಲೇ ಬರುವದು. (ಎಲ್ ಬರ್ ಲಿಂಗ್ ೭೧; ಮಿತಾಕ್ಷರ ೧. ೧೧, ೨೮) ನಾಲ್ಕನೇ ಪಾಲಂದರೆ ಔರಸನಿಗೆ ಬರುವ ಪಾಲಿನಲ್ಲಿ ನಾಲ್ಕನೇ ಭಾಗಕ್ಕೆ ಸರಿಪಾಲೆಂದರ್ಥವು. ದಾಯವನ್ನು ಅಯಿದುಭಾಗ ಮಾಡಿ ವೊಂದು ಭಾಗ ಸ್ವೀಕೃತನೂ ನಾಲ್ಕು ಭಾಗಗಳು ಔರಸನೂ ಹೊಂದತಕ್ಕದ್ದೆಂದು ತಾತ್ಪರ್ಯವು. (ಸರಸ್ವತೀವಿಲಾಸದಲ್ಲಿ ದಾಯಭಾಗವು).

ಸ್ವೀಕಾರಕ್ಕೆ ತರುವಾಯ ಹುಟ್ಟಿದ ಮಗನು.

೧೨೩. ಅನಂತರ ಪುತ್ರರೆಷ್ಟುಮಂದಿಯುಂಟಾದರೂ ಮುಂಚೆ ಹೇಳಲ್ಪಟ್ಟ ಮೇರೆಯೇ ಭಾಗಮಾಡತಕ್ಕದ್ದು. (ಸ. ಅ. ದೊಡ್ಡ ಪಂ. ೧೮೫೩ ಸೆಪ್ಟಂಬರ್ ೧).

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CHAP. IV.

GUARDIANSHIP.

Period of minority.

124. Minority ceases at the age of sixteen (II. 76. C).

125. It does so as respects females as well as males (S. U. Pundits 19th June 1855).

126. But in so far as regards the operations of the Court of Wards the Legislature have enacted that minority shall endure till the age of eighteen (Section IV Regulation V of 1804).

Guardians.

127. The natural guardians of a minor are first his father ;. then his mother ; elder brother ; paternal relatives ; and maternal relatives. If a guardian have to be appointed, this must be by the ruling power which is competent to supersede any natural guardian (Macnaughten Junior I. 103, 104).

128. Should the father be incompetent to the guardianship of his son, as from idiotcy, the office will devolve upon the mother (Pro : of S. U. 18th September 1843).

129. The law makes no provision for the appointment of a guardian by testament (II. 73. C).

Acts of a minor.

130. The acts of a minor in regard to property are not valid (Mitacshara on Judicature and Law).

౪. ప్రకరణ.

రక్షకర్తవ్యవు.

౧౨౪. బాల్యదశె హదినారు సంవత్సరగళ వయస్సినల్లి నివర్తిసుత్తదె. (౨. ౨౬. కో). బాల్యకీశ.

౧౨౫. ఆ దశె పురుషరిగె హ్యాగో హాగెయే స్త్రీయరిగూ. (స. అ. పం. ౧౮౫౫ జూన్ ౧౯).

౧౨౬. కోర్టాఫ్ వార్డ్సగళ కృత్యగళిగోస్కర హదినెంటనెయ వయస్సుపర్యంత బాల్యదశె యిరతక్కద్దెందు న్యాయ విధాయకరు నిబంధనె మాడిద్దారె. (౧౮౦౪ యిసివి ౫నె రిగ్యూలేషన్ ౪నే ప్ర).

౧౨౭. మొదలు తందె, తరువాయ తాయి, అంణ, తందెయ బంధుగళు, తాయియ బంధుగళు, ఇవరుగళు బాలనిగె సహజవాగి సంరక్షకరు. సహజరాద సంరక్షకరన్ను తప్పిసి హొసదాగి సంరక్షకనన్ను నిర్ణయిసబేకాదరె అదు సరకారదవర కార్య. (బిక్కర్మెక్నాటన్ ౧. ౧౦౩, ౧౦౪). సంరక్షకరు.

౧౨౮. ఉన్మాద ముంతాదవుగళింద తందెయు మగన సంరక్షణెగె అనర్హనాద పక్షదల్లి ఆ కెలస తాయియదాగిరుత్తదె. (స. అ. ప్రో. ౧౮౪౩నే సెప్టంబర్ తా॥౧౮).

౧౨౯. ఉయిలు మూలవాగి సంరక్షకనన్ను నియమిసువదక్కె శాస్త్రదల్లి నిబంధనెయిల్లవు. (౨. ౭౩. కో).

౧౩౦. తన్న ద్రవ్యక్కె సంబంధిసిద యావ కార్యవాగలి బాలను మాడిద్దు సల్లలారదు. (మితాక్షర వ్యవహారకాండ). బాలన కృత్యగళు.

Acts in behalf of a minor.

131. No act in regard to the property or liability of a minor is valid but such as may be clearly one of necessity, or for the benefit of the minor (Koollooka Bhut on Menu VIII. 27).

Responsibility of minor.

132. A son is not responsible for his father's debts until he may have reached his majority (II. 279. C).

The Courts however allow of suits being prosecuted against minors, or maintained by them, through their guardians (II. 80. C).

Share of minor in joint property.

133. The guardian of a minor may sue on his behalf for allotment to him of his share in family property; provided there may have been malversation of the estate to the prejudice of the minor's interests; but not otherwise (Decree of S. U. in Appeal No. 49 of 1850).

Tutelage of women.

134. Women are considered to be never fit for independance, but are to be under a continual state of tutelage (I. 244; Macnaughten Junior I. 104).

Exception among certain classes.

135. In certain of the labouring classes as washermen, cowkeepers, toddy drawers, musicians, oilmongers, &c., the women who contribute to the maintenance of the family may contract obligations, (if for the uses of the family), and render their husbands liable for the same (Smruti Chandrika on text of Yajna Vulkia and Nareda).

೧೩೧. ಬಾಲನ ಆಸ್ತಿಗಾಗಲಿ ದೇಹಕ್ಕಾಗಲಿ ಸಂಬಂಧಿಸಿದ ಅವನ ಕಾರ್ಯವು ಸಲ್ಲಲಾರದು. ಆದರೆ ಜರೂರೀಬಗ್ಗೆ ಆಗಲಿ ಅವನ ಪ್ರಯೋಜನಕ್ಕೋಸ್ಕರವಾಗಲಿ ಮಾಡಿದಕಾರ್ಯ ಸಲ್ಲುವದು. (ಕುಲ್ಲೂಕಭಟ್ಟೀಯದೊಳಗೆ ಮನುವು. ೮. ೨೭).

ಬಾಲಿಗನ ಸಾಲಕ್ಕಾದ ಕೃತ್ಯಗಳು.

೧೩೨. ತನಗೆ ವ್ಯವಹಾರಯೋಗ್ಯತೆ ಬರುವಪರ್ಯಂತ ಮಗನು ತಂದೆಯಸಾಲಗಳಿಗೆ ಜವಾಬ್‌ದಾರನಾಗಲಾರನು. (೨. ೨೭೯ ಕೊ) ಆದಾಗ್ಯೂ ಬಾಲರಮೇಲೆ ದಾವೆ ತರಬಹುದು. ಅವರದಕ್ಕೆ ತಮ್ಮ ಸಂರಕ್ಷಕರಮೂಲಕ ಪ್ರತಿವ್ಯವಹರಿಸಬಹುದೆಂದು ಕೋರ್ಟಿನವರೊಪ್ಪಿಕೊಳ್ಳುತ್ತಾರೆ. (೨. ೮೦ ಕೊ).

ಬಾಲನ ಜವಾಬ್‌ದಾರಿ.

೧೩೩. ಬಾಲಕನಿಗೆ ನಷ್ಟಕರವಾಗಿ ಸ್ವತ್ತಿಗೆ ಮೋಸಬರುವದಾಗಿ ಯಿದ್ದರೆ ಸಮುದಾಯದ್ರವ್ಯದಲ್ಲಿ ಅವನ ಭಾಗವನ್ನು ಅವನಿಗೆ ನಿರ್ಣಯಿಸಿ ಕೊಡತಕ್ಕಬಗ್ಗೆ ಸಂರಕ್ಷಕನು ವಿವಾದ ತೆರಬಹುದು. ಹಾಗಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಕೂಡದು. (ಸ. ಅ. ೧೮೫೦ ಅ. ನಂ ೪೯೪ರಲ್ಲಿ ಫೈಸಲ್).

ಸಮುದಾಯ ದ್ರವ್ಯದಲ್ಲಿ ಬಾಲಕನ ಭಾಗ.

೧೩೪. ಸ್ತ್ರೀಗಳಿಗೆ ಸರ್ವದಾ ಪಾರತಂತ್ರ್ಯವೇಹೊರತು ಯಾವಾಗಲೂ ಅವರು ಸ್ವಾತಂತ್ರ್ಯಕ್ಕೆ ಅರ್ಹರಾಗಿರುವದಿಲ್ಲವು. (೧. ೨೪೪; ಚಿಕ್ಕಮೆಕ್ನಾಟನ್ ೧. ೧೦೪).

ಸ್ತ್ರೀಯ ಪಾರತಂತ್ರ್ಯ.

೧೩೫. ಮಡಿವಾಳಿಗಳು, ಗೊಲ್ಲರು, ಈಡಿಗರು, ಗಾಣಿಗರು, ನಟ್ಟುವರು, ವಗೈರೇ ಕಸಬ್‌ದಾರೀ ಜನಗಳಲ್ಲಿ ಕುಟುಂಬಸಂರಕ್ಷಣೆಗೆ ಸಹಾಯಮಾಡುವ ಸ್ತ್ರೀಗಳು ಕರಾರ್ ಮಾದಾರ್‌ಗಳನ್ನು ಮಾಡಬಹುದು. (ಆದರೆ ಅದು ಕುಟುಂಬನಿಮಿತ್ತವಾಗಿರಬೇಕು). ಸದರೀ ಕರಾರ್‌ಗಳಿಗೆ ಗಂಡನು ಬದ್ಧನಾಗಿರತಕ್ಕದ್ದು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆಯಲ್ಲಿ ಯಾಜ್ಞವಲ್ಕ್ಯನಾರದವಚನಗಳು).

ಕೆಲವು ಜಾತಿಗಳಲ್ಲಿ ಯಿದಕ್ಕೆ ಅಪವಾದ.

Unmarried females.

136. An unmarried female of whatsoever age is under the guardianship of her father, and failing him of his kindred (Macnaughten Junior I. 104).

Married females.

137. A married female is under the guardianship of her husband, and failing him of her sons, sons' sons, and sons' grandsons; her husband's heirs generally; her paternal relations; and her maternal relations (Macnaughten Junior I. 104).

Female manager of minor's property.

138. A female in management of a minor's property is subject to the control of those who are her guardians (Macnaughten Junior I. 103). Practically the Courts do not require assurance of the support of the guardian to acts by a female of mature age, and would not hold invalid such acts by reason of the concurrence of the guardian being wanting thereto.

———oo———

೧೩೬. ಮದುವೆಯಿಲ್ಲದ ಹೆಂಗುಸು ಯೆಷ್ಟುವಯಸ್ಸಿನವಳಾದಾಗ್ಯೂ ತಂದೆಯ ಸಂರಕ್ಷಣೆಯೊಳಗಿರತಕ್ಕದ್ದು. ತಂದೆಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಅವನ ಜ್ಞಾತಿಗಳ ಸಂರಕ್ಷಣೆಯಲ್ಲಿ ಯಿರಬೇಕು. (ಬೆಕ್ಕ-ಮೆಕ್ನಾಟನ್ ೧. ೧೦೮).

ಮದುವೆಯಿಲ್ಲದ ಹೆಂಗುಸು.

೧೩೭. ಮದುವೆಯಾದ ಹೆಂಗುಸು ತನ್ನ ಗಂಡನ ಸಂರಕ್ಷಣೆಯಲ್ಲಿರತಕ್ಕದ್ದು. ಅವನಿಲ್ಲದಿದ್ದರೆ ಪುತ್ರರು, ಪೌತ್ರರು, ಪ್ರಪೌತ್ರರು, ಸಾಮಾನ್ಯವಾಗಿ ಗಂಡನ ಜ್ಞಾತಿಗಳು, ತನ್ನ ತಂದೆತಾಯಿಗಳ ಸಂಬಂಧಿಗಳು, ಯಿವರುಗಳ ಸಂರಕ್ಷಣೆಯಲ್ಲಿರಬೇಕು. (ಬೆಕ್ಕ-ಮೆಕ್ನಾಟನ್ ೧. ೧೦೮).

ಮದುವೆಯಾದ ಸ್ತ್ರೀ.

೧೩೮. ಬಾಲಕನ ಆಸ್ತಿಯನ್ನು ವಿಚಾರಣೆಮಾಡುವ ಹೆಂಗುಸು ತನ್ನ ಸಂರಕ್ಷಕರ ಆಜ್ಞೆಗೆ ಒಳಪಟ್ಟಿರಬೇಕು. (ಬೆಕ್ಕ-ಮೆಕ್ನಾಟನ್ ೧. ೧೦೩) ಮುದಿವಯಸ್ಸುಳ್ಳ ಸ್ತ್ರೀ ಮಾಡುವ ಕಾರ್ಯಗಳಿಗೆ ಅವಳ ಸಂರಕ್ಷಕನ ಅಂಗೀಕಾರರೂಪವಾದ ಆಧಾರವನ್ನು ಕೋರ್ಟಿನವರು ಅಪೇಕ್ಷಿಸುವ ವಾಡಿಕೆಯಿಲ್ಲವು. ಮತ್ತು ಆ ಕಾರ್ಯಗಳಿಗೆ ಸಂರಕ್ಷಕನ ಸಂಮತಿಯಿಲ್ಲವೆಂಬ ಕಾರಣದಮೇಲೆ ಅವುಗಳನ್ನು ಅಸಿದ್ಧ ಮಾಡುವದಿಲ್ಲ.

ಬಾಲದ್ರವ್ಯಕ್ಕೆ ರಕ್ಷಕರು

———oo———

Unmarried females. 136. An unmarried female of whatsoever age is under the guardianship of her father, and failing him of his kindred (Macnaughten Junior I. 104).

Married females. 137. A married female is under the guardianship of her husband, and failing him of her sons, sons' sons, and sons' grandsons; her husband's heirs generally; her paternal relations; and her maternal relations (Macnaughten Junior I. 104).

Female manager of minor's property. 138. A female in management of a minor's property is subject to the control of those who are her guardians (Macnaughten Junior I. 103). Practically the Courts do not require assurance of the support of the guardian to acts by a female of mature age, and would not hold invalid such acts by reason of the concurrence of the guardian being wanting thereto.

———oo———

ಮದುವೆಯಿಲ್ಲದ ಹೆಂಗುಸು.

೧೩೬. ಮದುವೆಯಿಲ್ಲದ ಹೆಂಗುಸು ಮುಪ್ಪುವಯಸ್ಸಿನವಳಾದಾಗ್ಯೂ ತಂದೆಯ ಸಂರಕ್ಷಣೆಯೊಳಗಿರತಕ್ಕದ್ದು. ತಂದೆಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಅವನ ಜ್ಞಾತಿಗಳ ಸಂರಕ್ಷಣೆಯಲ್ಲಿ ಯಿರಬೇಕು. (ಬಿಕ್ಕ-ಮೆಕ್ನಾಟನ್ ೧. ೧೦೪).

ಮದುವೆಯಾದ ಸ್ತ್ರೀ.

೧೩೭. ಮದುವೆಯಾದ ಹೆಂಗುಸು ತನ್ನ ಗಂಡನ ಸಂರಕ್ಷಣೆಯಲ್ಲಿರತಕ್ಕದ್ದು. ಅವನಿಲ್ಲದಿದ್ದರೆ ಪುತ್ರರು, ಪೌತ್ರರು, ಪ್ರಪೌತ್ರರು, ಸಾಮಾನ್ಯವಾಗಿ ಗಂಡನ ಜ್ಞಾತಿಗಳು, ತನ್ನ ತಂದೆತಾಯಿಗಳ ಸಂಬಂಧಿಗಳು, ಯಿವರುಗಳ ಸಂರಕ್ಷಣೆಯಲ್ಲಿರಬೇಕು. (ಬಿಕ್ಕ-ಮೆಕ್ನಾಟನ್ ೧. ೧೦೪).

ಬಾಲದ್ರವ್ಯಕ್ಕೆ ರಕ್ಷಕಳು

೧೩೮. ಬಾಲಕನ ಆಸ್ತಿಯನ್ನು ವಿಚಾರಣೆಮಾಡುವ ಹೆಂಗುಸು ತನ್ನ ಸಂರಕ್ಷಕರ ಆಜ್ಞೆಗೆ ಒಳಪಟ್ಟಿರಬೇಕು. (ಬಿಕ್ಕ-ಮೆಕ್ನಾಟನ್ ೧. ೧೦೩) ಮುದಿವಯಸ್ಸುಳ್ಳ ಸ್ತ್ರೀ ಮಾಡುವ ಕಾರ್ಯಗಳಿಗೆ ಅವಳ ಸಂರಕ್ಷಕನ ಅಂಗೀಕಾರರೂಪವಾದ ಆಧಾರವನ್ನು ಕೋರ್ಟಿನವರು ಅಪೇಕ್ಷಿಸುವ ವಾಡಿಕೆಯಿಲ್ಲವು. ಮತ್ತು ಆ ಕಾರ್ಯಗಳಿಗೆ ಸಂರಕ್ಷಕನ ಸಂಮತಿಯಿಲ್ಲವೆಂಬ ಕಾರಣದಮೇಲೆ ಅವುಗಳನ್ನು ಅಸಿದ್ಧ ಮಾಡುವದಿಲ್ಲ.

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CHAP. V.

PROPERTY.

Definition of property immoveable and moveable.

139. Property is distinguished according as it is immoveable (*Stavaram*) or moveable (*Jungama*). Land, houses, tanks, rivers, and whatsoever cannot be removed, or only so by an act of destruction, are accounted immoveable property. All other property is ranked as moveable. Of tenures on land, such as are of a permanent nature, as right acquired by sale or gift, or on perpetual lease, constitute immoveable property. So also do fees or perquisites due under a permanent title, and which are designated *Nibandha.* Mortgages and terminable leases class on the other hand as moveable property. Produce, wild beasts or birds, and fish, though associated with property held on permanent tenure, are ranked as moveables.

— ancestral and self acquired.

140. Property is again distinguished according as it is ancestral or self acquired. Whatever, whether immoveable or moveable, has been derived by inheritance, or obtained by means of patrimonial funds, is ancestral property. That which has obtained by individual exertion, unaided by ancestral funds, is viewed as self acquired.

141. That which comes by gift, made freely and not in return for benefit bestowed out of the ancestral funds, is self acquired (Elberling 92).

౫. ప్రకరణ.

స్వత్తు.

౧౩౯. స్థావరవెందు జంగమవెందు స్వత్తు యెరడుబగెయాగి విభజిసల్పట్టిదె. భూమి, నదీ, గృహ, కటాక, ముంతాగి నష్టమాడియల్లదె స్థలాంతరక్కె ఒదలిసకూడద పదార్థగళెల్ల స్థావరగళెన్నిసికొళ్ళుత్తవె. ఇతరవెల్లవూ జంగమవెన్నల్పడువవు. క్రయ, అథవా దాన, అథవా శాయంగుత్తా, యిదరింద సంపాదిసల్పట్టు శాశ్వతవాగి అనుభవవన్నిరువ భూమిగళు స్థావరవాగుత్తవె. శాశ్వతగళాద శాసనగళ మూలక పడకొండ రుసుంగళు, అథవా ఆదాయగళు స్థావరవెన్నిసికొళ్ళుతవె. ఇవుగళిగె నిబంధవెందు హెసరు. అడవూ, వాయిదేగుత్తిగెగళూ జంగమగళెన్నిసికొళ్ళుత్తవె. పైరు, వనమృగగళు, పక్షిగళు, మీనుగళు; యివు శాశ్వతవాగి అనుభవిసతక్కంతా పదార్థదొడనె సేరియిద్దాగ్యూ జంగమగళెన్నిసి కొళ్ళువవు.

స్థావరజంగమశబ్ద నిర్వచన.

౧౪౦. ద్రవ్యవు పిత్రార్జితవెంతలూ స్వార్జితవెంతలూ మరళి యెరడువిధవాగి విభజిసల్పట్టిదె. పితృద్రవ్యవు అథవా అదర దెసెయింద సంపాదిసల్పట్టన్న స్థావరజంగమగళొళగ్యావదాదాగ్యూ పిత్రార్జితవెన్నిసికొళ్ళుత్తదె. పితృద్రవ్యద సహాయవిల్లదె స్వప్రయాసదింద సంపాదిసిద్దు స్వార్జితవెన్నల్పడువవు.

పిత్రార్జిత స్వార్జిత శబ్ద నిర్వచన.

౧౪౧. పితృద్రవ్యద దెసెయింద కొడల్పట్టద్దక్కె ప్రతియాగియల్లదె సుమ్మనె బంద ద్రవ్యవు స్వార్జితవాగుత్తదె. (ఎల్ఫిన్స్టింగ్ ౯-౨).

142. Property lost by an ancestor and recovered by individual exertion without aid from patrimonial funds is self acquired. The recovery should however have been made with the privity of the coheirs, or under circumstances showing they had abandoned their claims on the property recovered. If made in anticipation of their intention to recover it, this will be held to be in fraud of their title, and property so recovered will rank as common to the coheirs, and not as self acquired (I. 195, 217).

143. Property acquired by means of any art or science inculcated by parents is accounted to have been obtained by ancestral means, and is viewed as ancestral property, although gained by individual exertions (Pundit of Zillah Court of Tinnevelly, 17th August 1821). This is a subtlety of the law so difficult to apply without violence to equity and expedience as scarcely to be carried out in practice.

y joint and divided.

144. Ancestral property is subject to distinction according as it may be held in common among the coheirs, or have been divided among them.

— vesting women.

145. Property is furthermore subject to distinctive laws if it vest in a female, whether married or unmarried. It is known as *Stridhana* or "woman's property". The term is not a technical one but merely descriptive. *Stridhana* embraces property of every description obtained by the female, by gift from her husband or her own or his relations, by inheritance, seizure (taking that which belongs to no one), or discovery (Mitacshara II. XI. 1—3).

ಸ್ವತ್ತು.

೧೮೨. ದೊಡ್ಡವರು ಹೋಗಲಾಡಿಸಿದ ಸ್ವತ್ತನ್ನು ಪಿತೃದ್ರವ್ಯದ ಸಹಾಯ್ಯವಿಲ್ಲದೆ ಸ್ವಪ್ರಯಾಸದಿಂದ ಮರಳಿ ಸಂಪಾದಿಸಿದರೆ ಅದು ಸ್ವಾರ್ಜಿತವು. ಹೀಗೆ ಮರಳಿ ಸಂಪಾದಿಸುವದರಲ್ಲಿ ದಾಯಾದಿಗಳ ಅನುಮತಿ ಪಡೆದಾಗಲಿ ಅವರದಲ್ಲಿ ತಮ್ಮ ಸಂಬಂಧವನ್ನು ಬಿಟ್ಟರೆಂದು ತಿಳಿದುಕೊಂಡಾಗಲಿ ಸಂಪಾದಿಸತಕ್ಕದ್ದು. ಸದರೀ ದ್ರವ್ಯವನ್ನು ಸಂಪಾದಿಸುವ ತಾತ್ಪರ್ಯ ದಾಯಾದರಿಗೆ ವುಂಟೆಂದು ತಿಳಿದಾಗ್ಯೂ ಆ ಪ್ರಕಾರ ಸಂಪಾದಿಸಿಕೊಂಡರೆ ಅದು ಅವರಿಗಿರುವ ಬಾಧ್ಯತೆಗೆ ದಗಾ ಮಾಡುವದಾಗಿ ಯೋಚಿಸಲ್ಪಟ್ಟು ಹಾಗೆ ಸಂಪಾದಿಸಿದ ದ್ರವ್ಯವು ದಾಯಾದಿಗಳ ಸಮಷ್ಟಿ ದ್ರವ್ಯವೇ ಹೊರತು ಸ್ವಾರ್ಜಿತವಾಗಲಾರದು. (೧. ೧೯೫, ೨೧೭).

೧೮೩. ಪಿತೃದತ್ತವಾದ ವಿದ್ಯೆಯ ದೆಸೆಯಿಂದ ಸಂಪಾದಿಸಲ್ಪಟ್ಟ ದ್ರವ್ಯವು ಸ್ವಪ್ರಯಾಸದಿಂದ ಬಂದಿದ್ದಾಗ್ಯೂ ಪೈತೃಕ ಸಹಾಯ್ಯದಿಂದ ಬಂದದ್ದಾಗಿ ಪೈತೃಕ ದ್ರವ್ಯವೆಂತಲೇ ಭಾವಿಸಲ್ಪಡುವದು. (ತಿರುನಲ್ವೇಲಿ ಜಿ. ಕೋ. ಸಂ. ೧೮೨೧ ಆಗಸ್ಟ್ ೧೭). ಈ ಧರ್ಮಸೂಕ್ಷ್ಮವು ನ್ಯಾಯಕ್ಕೂ ಯೋಗ್ಯತೆಗೂ ಅವಿರುದ್ಧವಾಗಿಸಲ್ಲುವದು ಕಷ್ಟವಾದ್ದರಿಂದ ಇದನ್ನು ಜಾರೀಯಲ್ಲಿ ತರುವದಕ್ಕಾಗದು.

೧೮೪. ಪೈತೃಕದ್ರವ್ಯವು ಅವಿಭಕ್ತವೆಂತಲೂ ವಿಭಕ್ತವೆಂತಲೂ ವಿಭಜಿಸಲ್ಪಟ್ಟಿದೆ. ವಿಭಕ್ತಾವಿಭಕ್ತದ್ರವ್ಯ.

೧೮೫. ಮತ್ತು ಮದುವೆಯಾದವಳಿಗಾಗಲಿ ಯಿಲ್ಲದವಳಿಗಾಗಲಿ ಹೆಂಗಸಿಗೆ ದ್ರವ್ಯ ಕೊಡಲ್ಪಟ್ಟಿದ್ದರೆ ಅದಕ್ಕೆ ವಿಶೇಷಶಾಸ್ತ್ರವೇರ್ಪಟ್ಟಿದೆ. ಅದಕ್ಕೆ ಸ್ತ್ರೀಧನವೆಂದು ಹೆಸರು. ಈ ಶಬ್ದ ಯೌಗಿಕವೇ ಹೊರತು ಪಾರಿಭಾಷಿಕವಲ್ಲವು. ಗಂಡನಾಗಲಿ, ಅವನ ಬಂಧುಗಳಾಗಲಿ ತನ್ನ ಬಂಧುಗಳಾಗಲಿ ಕೊಟ್ಟದ್ದು, ಬಾಧ್ಯತೆಮೂಲಕ ಬಂದದ್ದು, ಮತ್ತೊಬ್ಬರದೂ ಅಲ್ಲದೆ ತಾನಾಗಿ ಸಿಕ್ಕಿದ್ದು, ಅಥವಾ ಕಂಡು ಹಿಡಿದದ್ದು ಸ್ತ್ರೀಧನವಾಗುತ್ತದೆ. (ಮಿತಾಕ್ಷರ ೨. ೧೧. ೧—೩). ಸ್ತ್ರೀಧನವು.

146. What however she may have obtained by her own exertions, or by gift from other than her relations, ranks not as her property but her husband's (Smruti Chandrika).

147. In that which constitutes woman's property a distinction obtains of what has been given to the woman, whether it be immoveable or moveable, by her father, mother, or brothers. This is termed *Soudayaca.* Over such she has exclusive control without regard to her husband or heirs (Mitacshara II. XI. 5 ; Saraswatee Vilasa ; Vyavahara Mayookha IV. VII. I ; IV. X. 8).

Law of limitation.

148. The Hindoo law of limitation of the periods within which rights of property held in abeyance may be recovered by suit has been superseded by the British Legislature (CI : 4th Section XVIII. Regulation II. of 1802).

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రక్షకత్వవు.

౧౪౬. తన్న ప్రయత్నదిందలాదరూ, తన్న బంధుగళల్ల దేయితరరు కొడువదరిందలాదరూ బరువ ద్రవ్యవెల్ల తన్న గండనదేహొరతు తన్నదల్లవు. (స్మృతిచంద్రికె).

౧౪౭. హెంగసిగె తాయి తందెగళు హొడహుట్టిదవరు కొట్ట ద్రవ్యవు స్థావరవాగలి జంగమవాగలి సౌదాయిక వెన్నల్పడువదు. ఆ ద్రవ్యదొళగె ఆకెగే అధికారవల్లదె గండనిగాగలి మిక్క బంధుగళిగాగలి సంబంధవిల్లవు. (మితాక్షర. ౨. ౧౧. ౫; సరస్వతీవిలాసదల్లి; వ్యవహారమయూఖదల్లి ౪. ౭. ౧; ౪. ౧౦. ౮).

౧౪౮. బాధ్యతె తప్పి ముళిగిహోద ద్రవ్యవన్ను పునశ్చ సంపాదిసికొళ్ళతక్కబగ్గె యిష్టుకాలదొళగె వాపాత రబేకెందు హిందూశాస్త్రదల్లి విధిసలాద కాలావధి బ్రిటిష్ న్యాయవిధాయకరింద తళ్ళిహాకల్పట్టితు. (౧౮౦౭నే సం॥ ౭నే రెగ్యులేషన్ ౧౮నే ప్ర- ౪నే భాగ.) కాలావధి బంధనె.

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146. What however she may have obtained by her own exertions, or by gift from other than her relations, ranks not as her property but her husband's (Smruti Chandrika).

147. In that which constitutes woman's property a distinction obtains of what has been given to the woman, whether it be immoveable or moveable, by her father, mother, or brothers. This is termed *Soudayaca.* Over such she has exclusive control without regard to her husband or heirs (Mitacshara II. XI. 5 ; Saraswatee Vilasa ; Vyavahara Mayookha IV. VII. I ; IV. X. 8).

Law of limitation.

148. The Hindoo law of limitation of the periods within which rights of property held in abeyance may be recovered by suit has been superseded by the British Legislature (CI : 4th Section XVIII. Regulation II. of 1802).

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೧೪೬. ತನ್ನ ಪ್ರಯತ್ನದಿಂದಲಾದರೂ, ತನ್ನ ಬಂಧುಗಳಲ್ಲದೆಯಿತರರು ಕೊಡುವದರಿಂದಲಾದರೂ ಬರುವ ದ್ರವ್ಯವೆಲ್ಲ ತನ್ನ ಗಂಡನದೇಹೊರತು ತನ್ನದಲ್ಲವು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆ).

೧೪೭. ಹೆಂಗಸಿಗೆ ತಾಯಿ ತಂದೆಗಳು ವೊಡಹುಟ್ಟಿದವರು ಕೊಟ್ಟ ದ್ರವ್ಯವು ಸ್ಥಾವರವಾಗಲಿ ಜಂಗಮವಾಗಲಿ ಸೌದಾಯಿಕವೆನ್ನಲ್ಪಡುವದು. ಆ ದ್ರವ್ಯದೊಳಗೆ ಆಕೆಗೇ ಅಧಿಕಾರವಲ್ಲದೆ ಗಂಡನಿಗಾಗಲಿ ಮಿಕ್ಕ ಬಂಧುಗಳಿಗಾಗಲಿ ಸಂಬಂಧವಿಲ್ಲವು. (ಮಿತಾಕ್ಷರ. ೨. ೧೧. ೫ ; ಸರಸ್ವತೀವಿಲಾಸದಲ್ಲಿ ; ವ್ಯವಹಾರಮಯೂಖದಲ್ಲಿ ೪. ೩. ೧ ; ೪. ೧೦. ೮).

೧೪೮. ಬಾಧ್ಯತೆ ತಪ್ಪಿ ಮುಳುಗಿಹೋದ ದ್ರವ್ಯವನ್ನು ಪುನಃ ಸಂಪಾದಿಸಿಕೊಳ್ಳತಕ್ಕಬಗ್ಗೆ ಯಿಷ್ಟು ಕಾಲದೊಳಗೆ ವಾದಾ ತರಬೇಕೆಂದು ಹಿಂದೂಶಾಸ್ತ್ರದಲ್ಲಿ ವಿಧಿಸಲಾದ ಕಾಲಾವಧಿ ಬ್ರಿಟಿಷ್ ನ್ಯಾಯವಿಧಾಯಕರಿಂದ ತಳ್ಳಿಹಾಕಲ್ಪಟ್ಟಿತು. (೧೮೦೭ನೇ ಸಂ॥ ೨ನೇ ರಿಗ್ಯುಲೇಷನ ೧೮ನೇ ಪ್ರ- ೪ನೇ ಭಾಗ.)

ಕಾಲಾವಧಿ ಬಂಧನೆ.

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CHAP. VI.

ALIENATION.

Right of father over immoveable property.

149. A father who may not have entered upon division of property with his sons cannot alienate immoveable property, whether ancestral or self acquired, without the concurrence of his sons (II. 9, 11. C). Failing sons the consent of their sons and grandsons will be required, these being also coheirs with the father (Mitacshara I. i. 27).

150. If however the said male issue should be minors, and the necessity urgent, their assent will be assumed (I. 20).

151. A man without male issue may alienate his immoveable property, whether ancestral or self acquired, at will, to the prejudice of all other heirs (II. 436. C).

—over moveable property.

152. His moveable property, ancestral as well as self acquired, is at his absolute control whether he have male issue or not (Mitacshara I. i. 24).

Enough must be reserved for maintenance of family.

153. No alienation of immoveable or moveable property is valid unless sufficiency be left for the maintenance of those entitled to support, and for providing for the marrriage af daughters, these being fixed charges on the estate (I. 18, 19; S. U. Pundits 10th and 26th April 1852.)

ప్రకరణ.

వినియోగవు.

౧౪౯. పుత్రరొడనె విభాగ మాడికొళ్ళద తందె తన్న పిత్రార్జిత అథవా స్వార్జిత స్థావర స్వత్తన్ను పుత్రర అనుమతి యిల్లదె వినియోగిసకూడదు. (౨. ౯, ౧౧ శ్లో) పుత్రరిల్లదపక్షదల్లి అవర పుత్రపౌత్రర అనుమతి బేకు. యివరు తమ్మ తందెయొడనె సమానాధికారిగళాగిరుత్తారె. (మితాక్షర ౧. ౧. ౨౭).

స్థావరస్వత్తినల్లి తందెయ స్వాతంత్ర్య.

౧౫౦. ఇవరుగళు బాలకరాగిరువాగలే అంతా జరూరి సంభవిసిదరె అవర అనుమతియిరువంతె భావిసల్పడువదు. (౧. ౨౦).

౧౫౧. పుత్రసంతతియిల్లదవను పిత్రార్జితవాగలి స్వార్జితవాగలి స్థావరద్రవ్యవన్ను యితర వారస్‌దారరిగె ప్రతికూలవాగి తన్న యిష్టవిద్దంతె వినియోగిసబహుదు. (౨. ౪౩౬ శ్లో).

౧౫౨. పిత్రార్జితవాగలి స్వార్జితవాగలి జంగమద్రవ్యవు పుత్రసంతానవుళ్ళవనాదరూ, యిల్లదవనాదరూ తన్న అధికారదల్లియే యిరుతదె. (మితాక్షర ౧. ౧. ౨౪).

జంగమద్రవ్యదొళగె.

౧౫౩. పోష్యర పోషణె, హెండుమక్కళ వివాహ, యివుగళ ఖర్చిగె ఆస్తియింద కొడబేకాద్దు గొత్తాద్దు. ఆద్దరింద ఇవుగళిగె సాకాదష్టు యిట్టుకొళ్ళదె స్థావర అథవా జంగమద్రవ్యవన్ను వినియోగిసువదు సల్లలారదు. (౧. ౧౮, ౧౯; స. అ. పం. ౧౮౫౨ యేప్రిల్ ౧౦, ౨౬)

కుటుంబసంరక్షణెగె బేకాదష్టుయిట్టుకొళ్ళతక్కద్దు.

Alienation by coheirs. 154. Other coheirs besides fathers and their male issue cannot alienate the joint property, immoveable or moveable, without mutual consent (I. 19).

155. An alienation made by one such coheir without the concurrence of the others will however stand good to the extent of the alienor's share (I. 201). But should the alienor have male issue their shares must be exempted (Mitacshara on substraction of gift).

156. Where coheirs are minors they will be bound only by necessary acts, or such as are evidently for their benefit (I. 203).

—by divided parceners. 157. After partition the several coheirs of whatsoever description may alienate their individual shares without reference to each other (S. U. Pundits 6th November 1833 ; 24th October 1850).

—by widow 158. A widow in respect of property derived by inheritance from her husband is little more than tenant for life and trustee for the ulterior heirs (I. 246).

159. She cannot alienate immoveable property but with the consent of her chief heirs, saving when driven to necessity for the discharge of her husband's debts, her own subsistence, the mar-

వినియోగవు.

౧౫౪. తందె గండుమగ యివరువినా యితర దాయా దిగళెల్ల పరిస్పర సమ్మతియిల్లదె స్థావరవాగలి జంగమవా గలి సముదాయద్రవ్యదొళగె వినియోగ మాడకూడదు. (౧. ౧౯). దాయాదిగళింద వినియోగ.

౧౫౫. ఇతరదాయాదిగళ సమ్మతి పడెయదె తాను తన్న భాగదమట్టిగె వినియోగమాడిదరె అదుసల్లువదు. (౧. ౨౦౧) ఆదరె హాగె వినియోగ మాడతక్కవనిగె ప్రతిరిద్దపక్షక్కె అవర భాగవన్ను తెగదు యిడబేకు. (మి తాక్షరదత్తా ప్రధానికదొళగె).

౧౫౬. దాయాదరు బాలకరాగిరువాగ తమగె ఆవ శ్యవాగి నడెయబేకాద కెలసగళిగోస్కరవాగలి స్పష్ట వాగి తమ్మ ప్రయోజనకోస్కరవాగలి వొప్పికొ ళ్ళబేకు. (౧. ౨౦౩)!

౧౫౭. విభాగవాదబళిక దాయాదరు యారాదాగ్యూ వొబ్బరిగొబ్బరు తిళిసదేహో తమ్మ భాగవన్ను విని యోగిసబహుదు. (స. అ. పం. ౧౮౩౩నవంబర్ ౬. ౧౮౫౦ అక్టోబర్ ౨౪). విభక్తరింద—

౧౫౮. వితంతవు తన్న గండనింద బంద ద్రవ్యవన్ను తాను జీవిసువవరిగె అనుభవిసతక్కవళాగియూ, ఉత్త రాధికారిగళిగోస్కర యిట్టుకొండు కాపాడతక్కవ ళాగియు యిరుత్తాళె. (౧. ౨౮౬). వితంతువినింద—

౧౫౯. వితంతవు తన్న గండన సాలగళిగాగలి, తన్న జీవనక్కాగలి, హెంణుమక్కళ వివాహక్కాగలి, గండన ఆత్మోజ్జీవనకోస్కరవాగలి మాడువఖర్చు ఆస్తియొ ళగేనే నడెయతక్కద్దాద్దరింద జరూరాదాగ ఆబర్యే స్థా

riages of her daughters, (all of which are chargeable on the estate,) or for religious purposes to secure supposed benefit to her husband's soul (I. 246, 247 ; Elberling 73).

160. A widow, for example, having daughters and daughters' sons cannot alienate with the consent of the daughters only. That of the daughters' sons is also necessary (S. U. Pundits 3d April 1851).

161. Over moveables she has greater power (I. 247, 248). She may alienate these of her own act (Decree of S. U. in appeal No. 5 of 1849).

162. Lavish expenditure is not however permitted in a widow. She has to be modest in her attire, cannot decorate herself with ornaments, or indulge in high living. Her guardians would be empowered to put a limit on her alienation even of moveables, and if made to the manifest detriment of the next heirs, these could seek a remedy at law for such acts and furthermore have the estate removed from her control, affording her maintenance.

163. If devoid of heirs to the remotest grade, a widow would be under no restriction as to the disposal of her property, however obtained, or of whatever description it might be.

Wife's property.

164. During the life time of her husband the property of a female is subject to his control, saving her *Soudayaca* which she may dispose of at will (Smruti Chandrika.)

పర ద్రవ్యవన్ను వినియోగిసబహుదు. మిక్క విషయదల్లి తన్న ముఖ్యజ్ఞాతిగళ అనుమతియిల్లదే మాడిద వినియోగవు సల్లలారదు. (౧. ౧౨౬, ౨౨౭; ఎల్బర్‌లింగ్ ౭౨).

౧౬౦. ఇదక్కుదాహరణ, హెంణుమక్కళూ, అవరమక్కళూ యిరువాగ హెంణుమక్కళ అనుమతిమాత్రదిందలే ద్రవ్యవన్ను వినియోగిసకూడదు. దౌహిత్రర అనుమతియూ ఆవశ్యకవాగిరుత్తదె. (స. అ. పం. ౧౮౫౧ మేప్రిల్ ౧).

౧౬౧. ఆకెగె జంగమద్రవ్యదల్లి అధికతరవాద స్వాతంత్ర్యవుంటు. (౧. ౨౨౭, ౨౨౮). తాను స్వతంత్రవాగి జంగమ ద్రవ్యవన్ను వినియోగిసబహుదు. (స. అ. ౧౮౫౯ అ. నం ౫౨ల్లి ఫిట్రసల్).

౧౬౨. పరంతు వితంతు దుర్వ్యయ మాడువదక్కె అప్పణెయిల్లవు. సాధారణబట్టె ఉట్టుకొండు ఒడవెగళింద అలంకరిసికొళ్ళదె భోగవన్ను తొరదుయిరబేకు. జంగమద్రవ్యవన్నుకూడ ఆకె వినియోగిసువదరల్లి ఆకెయ సంరక్షకరు దద్దేపడిసబేకు. ఆకెయ తరువాయద వారస్‌దారరు తమగె ప్రత్యక్ష విరుద్ధవాగి ఆకె స్వత్తన్ను వినియోగిసువ పక్షక్కె అదకొక్కేస్కర దావే తరబహుదు. మత్తు ఆకెగె జీవనాంశవన్ను కొట్టు స్వత్తన్ను అవళ అధికారదింద తప్పిసబహుదు.

౧౬౩. దూరద దాయాదిగళుకూడ యిల్లవాదరె తన్న ద్రవ్యవు హ్యాగె బందిరలి యెంతాద్దాగలి వితంతు యిష్టవిద్దంతె వినియోగిసబహుదు. మత్తేనూ నిర్బంధవిల్ల.

౧౬౪. గండ బదికిరువాగ హెంగసిన ద్రవ్యదల్లి అవనిగే అధికార. సౌదాయికవన్నుమాత్ర అవళు తన్న మ

హెండతియ స్వత్తు.

165. In holding dealings with regard to he *Soudayaca* the wife must however act through he husband, and he is bound to fufil her wishes (Saraswatee Vilasa.)

Alienation by unmarried females.

166. Property, whether immoveable or moveable, vesting in unmarried females, cannot be disposed of by them but with consent of guardians.

—by persons under legal disability.

167. No alienation is valid on the part of on labouring under disability from idiotcy, lunacy minority, imbecility whether arising from age o disease, duress, or the influence of some overruling passion such as lust or hatred (I. 23).

ననుబంధంతె వినియోగిసికొళ్ళబహుదు. (స్మృతిచంద్రికె).

౧౬౫. సౌదాయిక ద్రవ్యదల్లి లేవాదేవి వగైరె కార్య మాడబేకాదల్లి అదన్ను హెంగుసు తన్న గండనమూలక మాడిసబేకు. ఆకెను అవళ యిష్టవన్ను అవశ్యవాగి నెరవేరిసబేకు. (సరస్వతీవిలాస).

౧౬౬. మదువెయిల్లద హెంగుసరు తమగె సేరిద స్థావర జంగమ ద్రవ్యగళన్ను తమ్మ సంరక్షకర అనుమతియిల్లదె వినియోగిసకూడదు.

మదువెయిల్లద హెంగుసరు మాడువ వినియోగ.

౧౬౭. ఉన్మాదదిందాగలి, చిత్తభ్రమణెయిందాగలి, బాల్యదిందాగలి, వార్ధక్య అథవా రోగదింద హుట్టువబుద్ధిమాంద్యదిందలాగలి, నిర్బంధదిందలాగలి, కామద్వేషగళిందాగలి అసమర్థరాదవరు మాడువ వినియోగవు సల్లలారదు. (౧. ౨౩).

చిత్తవశతె యిల్లదవరింద—

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CHAP. VII.

WILLS.

Wills unknown to Hindoo Law.

168. The power of disposing of property by will is unknown to Hindoo Law. No term exists in the Dharma Shastra, or primitive law, for such an instrument as a will. The best European authorities Sir William Jones, Mr. Colebrooke, Mr. Ellis, and Sir Thomas Strange concur in regard to this fact (I. 254, 255; II. 419, 428, 431).

No occasion for wills

169. The law has left no pretence of need for such an arrangement as bequest by will. It has rigidly provided for the descent of property to the remotest kindred, and eventually for escheat, and has secured maintenance for all members having claim to support (I. 254, 255).

170. If contrary to the law a will is invalid. If in conformity therewith it is unnecessary (II. 421. E).

Wills recognized by the Courts.

171. All the chief Courts however, namely the Privy Council and the Supreme and Sudr Courts, have recognized wills by Hindoos (I. 268, note; Morley I. 612—618).

—by the British legislature.

172. The British Legislature has placed the subject in a dubious point of view. It acknowledges that wills are instruments unknown to Hindoo law, and remedies an error in a previous enactment founded on oversight of the fact. It at the same time does not declare that wills by Hindoos are to be entirely ignored, but provides

೩. ಪ್ರಕರಣ.

ಉಯಿಲು.

೧೬೮. ಉಯಿಲಿನ ಡಿಸೆಯಿಂದ ದ್ರವ್ಯವನ್ನು ವಿನಿಯೋಗಿಸುವ ಅಧಿಕಾರವು ಧರ್ಮಶಾಸ್ತ್ರದೊಳಗೆ ಕಾಣಬರಲಿಲ್ಲವು. ಉಯಿಲುಯೆಂಬ ಸಾಧನಕ್ಕೆ ಧರ್ಮಶಾಸ್ತ್ರದಲ್ಲಿ ಪಾಠಕವಿಲ್ಲ. ಈವಿಷಯ ಪ್ರಾಮಾಣಿಕರಾದ ಸರ್ ಉಲ್ಲಿಯಂ ಜೋನ್ಸ್, ಮಿಸ್ಟರ್ ಕೋಲ್ಬ್ರೂಕ್, ಮಿಸ್ಟರ್ ಎಲ್ಲಿಸ್, ಸರ್ ಥಾಮಸ್ ಸ್ಟ್ರೇಂಜಿ, ಯಿವರುಗಳೇಕಕಂಠವಾಗಿ ಹೇಳುತ್ತಾರೆ. (೧. ೨೩೪, ೨೩೫; ೨. ೪೧೯, ೪೨೮, ೪೩೧). — ಉಯಿಲ ಧರ್ಮಶಾಸ್ತ್ರ... ಲ್ಲಿಲ್ಲ

೧೬೯. ಉಯಿಲು ರೂಪವಾದ ಯೇರ್ಪಾಡಿಗೆ ಧರ್ಮಶಾಸ್ತ್ರದಲ್ಲಿ ಯೇನೂ ಅವಕಾಶವಿಲ್ಲವು. ಆಸ್ತಿಯು ಕ್ರಮವಾಗಿ ದೂರಬಂಧುಗಳವರಿಗೆ ಸೇರಬೇಕೆಂತಲೂ, ಕಡೆಗೆ ಸರಕಾರದವರಿಗೆ ಸೇರಬೇಕೆಂತಲೂ, ಪೋಷ್ಯರಾದವರೆಲ್ಲರ ಜೀವನಕ್ಕೂ ಯೇರ್ಪಡಬೇಕೆಂತಲೂ, ಧರ್ಮಶಾಸ್ತ್ರ ಊರ್ಜಿತವಾಗಿ ನಿರ್ಣಯಿಸುತದೆ. (೧. ೨೩೪, ೨೩೫). — ಉಯಿ... ನಾವಶ್ಯಕವು.

೧೭೦. ಧರ್ಮಶಾಸ್ತ್ರ ವಿರುದ್ಧವಾದ ಉಯಿಲು ಸಲ್ಲುವದಿಲ್ಲ. ಅವಿರುದ್ಧವಾದ್ದು ಅನಾವಶ್ಯಕ. (೨. ೪೨೧. ಎ).

೧೭೧. ಆದಾಗ್ಯೂ ಹಿಂದುಗಳ ಉಯಿಲನ್ನು ಪ್ರಿವಿಕೌನ್ಸಿಲ್‌ನವರು, ಸುಪ್ರೀಂ ಕೋರಟಿನವರು, ಸದರ್ ಕೋರಟಿನವರು ಯಿಾ ಮುಖ್ಯ ಕೋರಟುಗಳಲ್ಲಿ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಾರೆ. (೧. ೨೬೮ ನೋಟ್; ಮಾರ್ಲೀ ೧. ೬೧೨—೬೧೮). — ಉಯಿ... ಕೋರಟಿನ... ರುಸಮ್ಮತಿಸ... ತ್ತಾರೆ.

೧೭೨. ಬ್ರಿಟಿಷ್ ನ್ಯಾಯವಿಧಾಯಕರೀವಿಷಯವನ್ನು ಸಂದಿಗ್ಧವನ್ನಾಗಿಮಾಡಿ ಯಿಟ್ಟರು. ಉಯಿಲು ಸಾಧನದ ವಿಷಯ ಧ — ಬ್ರಿಟಿಷ್ ನ್ಯಾಯ ವಿಧಾಯಕರಿಂದ.—

that they shall have no legal force, except in so far as their contents may be in conformity with Hindoo law (Regulation V of 1829).

Extent of power of bequest.

173. The argument in favor of countenancing wills by Hindoos is that a man may bequeath by will what he could make gift of in life. It is to this extent that the power of bequest has been allowed (II. 436, 445. C. and S).

What opening for will.

174. It remains to be seen whether under any circumstances an opening exists for a Hindoo will.

175. Under the Hindoo law gifts are irrevocable. Bequests on the other hand are revocable up to the death of the testator, and such a form of gift is unrecognized by Hindoo law (Elberling 137, 140).

176. A title to property is not valid unless there have been possession, in part at least, under it (I. 32, 291).

177. According to Mithila law, (which assimilates with that prevailing in South India,) a gift without possession obtained is invalid (I. 267 ; S. D. A. II. 76).

ర్మశాస్త్రదల్లి యిల్లవెంబు తిళియదెమాడిద పూర్వద కా
ర్యాగళల్లి యిరువ తప్పన్ను తిద్ది యీగ ధర్మశాస్త్రదొ
ళగె ఉయిలు హేళిరువదిల్లవెంబు ఒప్పికొండాగ్యూ
ఉయిలుగళన్ను హిందుగళు సంపూర్ణవాగి నిరాకరిసత
క్కద్దెంబు హేళువదిల్ల. ఆదరె యెష్టుమట్టిగె అదు ధర్మ
శాస్త్రానుసారియాగిరుత్తదో అష్టుమట్టిగెవినా మిక్కా
ద్దుసల్లలారదెంబు హేళిదరు. (౧౮౨౭, ౫నేరెగ్యులేషన్).

౧౩౩. హిందుగళు ఉయిలన్ను పరిగ్రహిసతక్క విష
యదల్లి, ఒబ్బను తాను జీవిసియిద్దాగ స్వతంత్రనాగి
కొడబహుదాద్దన్ను ఉయిలుబరదుకొడబహుదెంబ యు
క్తియమేలె అష్టుమట్టిగె మాత్ర ఉయిలు సల్లువదెంబు
ఒప్పికొళ్ళల్పట్టిదె. (౨. ౪౩౬, ౪౪౫, కో, స
దర్ల్యాండ్).

౧౩౪. హిందుగళ ఉయిలిగె యావనిమిత్తదిందాగలి
ఆకరవుంటేయెంబు యిన్ను విచారిసువెవు. ఉయిలిగె రుణఆస్పద.

౧౩౫. దత్తద్రవ్యవు శాస్త్రప్రకార పునరాదానవి
ల్లద్దు వుయిలు అంతాద్దల్లవు. వుయిలు బరదవను తన్న మ
రణపర్యంత తాను బరద్దన్ను నిరాకరిసబహుదు. ఇంతా
దానవు శాస్త్రసమ్మతవల్ల (ఎల్ బర్ లింగ్ ౧౩౩, ౧౪౦).

౧౩౬. ఆస్తియల్లి స్వల్పభాగకూడ అనుభవదొ
ళగిల్లదవనిగె అదరొళగె అధికార సల్లలారదు. (౧.
౩౨, ౩౯౧).

౧౩౭. ద్రవిడశాస్త్ర సంప్రదాయక్కె సరియాద
మైథిలశాస్త్ర సంప్రదాయదొళగె అనుభవవిల్లదె దత్త
ద్రవ్య సల్లలారదు. (౧. ౨౬౭; బం. స. ది. అ. ౨. ౭౬).

178. To complete a gift there must be possession, for acceptance is necessary as well as bestowal. Promise alone without acceptance does not suffice (S. U. Pundits 13th October 1855).

179. An exception is made in regard to promise of gift for religious purposes, as to Brahmins, which is held to be binding (S. U. pundits 13th October 1855) ; but legal effect would scarcely be given to a provision so manifestly at variance with equity.

180. A legacy lapses by the previous demise of the party in whose favor it may have been made (II. 445. S). Transfer and acceptance in such case are hence demonstrated not to have been made. These essentials are therefore wanting to legalize a bequest as being tantamount to a gift.

181. A will is not recognized in Hindoo law. A Hindoo may make gift during his life time, but to constitute a gift transfer must take place. Whatever a man dies possessed of passes to his legal heirs. A will therfore can have no force among Hindoos (Pro: of S. U. 30th July 1855.)

182. A man may in his life time alienate his property to the prejudice of his widow, leaving her the means of maintenance ; but he cannot make arrangement that such alienation shall take place after his death, since his widow would be entitled to what he died possessed of (S. U. Pundits 19th July 1852).

౧౩౮. దానక్కె ప్రతిగ్రహవావశ్యకవాద్దరింద దత్తద్రవ్యసిద్ధిగె శోఽగవావశ్యకవు. ప్రతిగ్రహవిల్లదె వాగ్దాన మాత్ర సాకాగలారదు. (స. అ. పం. సన ౧౮౬౫ అక్టోబర్ ౧౩).

౧౩౯. ధర్మకార్యగళిగాగి మాడిద దాన ప్రతిజ్ఞె మాత్ర తప్పదె నెరవేరిసబేకు. (స. అ. పం. ౧౮౫౫ అక్టోబర్ ౧౩). ఈ అర్థవు న్యాయక్కె సాక్షాత్ విరుద్ధవాద్దరింద వ్యవహారదల్లి సల్లలారదు.

౧౪౦. ఉయిల్‌నల్లి బరద ద్రవ్యవం తెగదుకొళ్ళత క్కవను ముందాగి మృతనాదరె అదు బరదవన్నే హొందుతదె. (౨. ౪౪౫ సదర్‌ల్యాండ్). ఆద్దరింద ఉయిలు బరెయువదరింద దానప్రతిగ్రహంగళు సిద్ధిసువదిల్లవెంబదుస్పష్టవు. ఇదరిందలే ఉయిలు దానక్కె సమనాద్దెందెణిసి వ్యవహారదల్లి జారీయొళగె తరకూడదు.

౧౪౧. ఉయిలు శాస్త్రసమ్మతవల్ల. యావనాగలి తాను జీవిసువాగ దాన మాడబహుదు; ఆదరె అదన్ను ఊర్జితపడిసతక్కబళ్యే దానమాడల్పట్ట స్వత్తు ప్రతిగ్ర హీతనిగె సేరబేకు. అవసాన దశెయల్లిరువ ద్రవ్యవు మృతనాదవన న్యాయవాద వారసగళిగె సల్లతక్కద్దు. ఆద్దరింద హిందుగళ ఉయిలు సల్లలారదు. (స. అ. ప్రో. ౧౮౫౫ జులై ౩౦).

౧౪౨. పురుషను తాను బదికిరువాగ తన్న ద్రవ్యదల్లి హెండతిగె జీవనాంశ తెగదిట్టు మిక్కద్దన్ను ఆకెయ సంబంధవిల్లదె తన్న యిష్టబందంతె వినియోగిసబహుదు. తన్న మరణానంతర ఆస్తియల్లి హెండతిగే అధికార వుంటాగుత్తా ద్దరింద తనగె తరువాయ యారీతియాగి వినియోగిసెందు అప్పణే మాడకూడదు. (స. అ. పం. ౧౮౫౭ జులాయి ౧౯).

[illegible]. It follows that there is no opening for the operation of a Hindoo will. The assignment, not completed during life by transfer and acceptance, is no gift; and after death the law of inheritance at once asserts its power.

ఉయిలు.

౧౮౩. ఆద్దరింద హిందుగళ ఉయిలిన సంగతిగేనూ వకాశవిల్ల. తన్న జీవితకాలదొళగె దానపరిగ్రహగళి దే మాడిద వినియోగవు దత్తరూపవాగలారదు. మర ణానంతర దాయభాగవిధి ప్రకారసల్లుత్తదే.

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CHAP. VIII.

CHARGES ON PROPERTY.

Nature of charges on an estate.

184. The charges on an estate are the just debts; the obsequial monthly, half yearly and yearly ceremonies of ancestors; initiatory ceremonies terminating in the *Oopanayana*; marriages; and maintenance (I. 166—171).

Son's obligation to discharge father's debts.

185. According to the law a son is under obligation to discharge his father's debts whether he have derived assets from his father or not (I. 167). This however is a moral and religious, not a civil obligation. It can be evaded by relinquishment of the paternal estate (II. 275, 276, C).

186. The Courts established by the British legislature are not bound to give effect to this precept of the Hindoo law that a son should discharge his father's debts irrespective of assets derived from his father. By Clause 1st, Section XVI, Regulation III of 1802 it is in questions only of "succession, inheritance, marriage, caste, and religious usages and institutions" that in dealing with Hindoo rights the Courts are required to follow the Hindoo law. Liability for debt falls under the law of contracts, and in such questions considerations of equity will govern the decision. Accordingly it has been ruled that

೮. ಪ್ರಕರಣ.

ಸ್ವತ್ತಿನಲ್ಲಿ ಮಾಡತಕ್ಕ ಖರ್ಚುಗಳು.

ಸ್ವತ್ತಿನಲ್ಲಿ ಮಾಡತಕ್ಕ ಖರ್ಚಿನ ರೀತಿ.

೧೮೪. ನ್ಯಾಯ್ಯಗಳಾದ ಸಾಲಗಳಿಗೂ, ದೊಡ್ಡವರ ಮಾತೃ ಷಾಣ್ಮಾಸಿಕಾಬ್ದಿಕಶ್ರಾದ್ಧಗಳಿಗೂ, ಉಪನಯನಾಂತ ಕ್ರಿಯೆಳಿಗೂ, ಮದುವೆಗಳಿಗೂ, ಜೀವನಕ್ಕೂ, ಆಗಬೇಕಾದ ಖರ್ಚು ಸ್ತಿಯೊಳಗಣದು. (೧. ೧೬೬—೧೨೧).

ತಂದೆಯ ಋಣವನ್ನು ಪುತ್ರನು ತೀರಿಸತಕ್ಕದ್ದು.

೧೮೫. ತಂದೆಯ ದ್ರವ್ಯವನ್ನು ಹೊಂದಿಯಾಗಲಿ ಹೊಂದದೆಯಾಗಲಿ ತಂದೆಯ ಸಾಲಗಳನ್ನು ಮಗನು ಅವಶ್ಯ ತೀರಿಸಬೇಕೆಂದು ಶಾಸ್ತ್ರಸಿದ್ಧವಾಗಿದೆ. (೧. ೧೬೨). ಈ ವಿಧಿ ಪಾರಮಾರ್ಥಿಕವೇ ಹೊರತು ವ್ಯವಹಾರ ಯೋಗ್ಯವಲ್ಲ. ತಂದೆಯ ಸ್ವತ್ತನ್ನು ಹೊಂದದವನು ತಂದೆಯ ಸಾಲಗಳನ್ನು ನಿರಾಕರಿಸಬಹುದು. (೨. ೨೨೫, ೨೨೬, ೮೦).

೧೮೬. ತಂದೆಯ ಸ್ವತ್ತನ್ನು ಹೊಂದದೆ ಇದ್ದಾಗ್ಯೂ ಪುತ್ರನು ತಂದೆಯ ಸಾಲವನ್ನು ತೀರಿಸಬೇಕೆಂದು ವಿಧಿಸಿದ ಶಾಸ್ತ್ರಾಂಶವನ್ನು ಬ್ರಿಟಿಷ್ ನ್ಯಾಯವಿಧಾಯಕರಿಂದ ಸ್ಥಾಪಿಸಲ್ಪಟ್ಟ ಕೋರ್ಟಿನವರು ಜಾರೀಗೆ ತರಬೇಕೆಂಬ ನಿಯಮವಿಲ್ಲ. ಸಾಂಪರ್ಯದ ಹಕ್ಕುದಾರಿ, ದಾಯಭಾಗ, ವಿವಾಹ, ವರ್ಣಾಚಾರ ಮತಾಚಾರಗಳು, ಧರ್ಮಕಾರ್ಯಗಳು ಇವುಗಳಲ್ಲಿ ಮಾತ್ರ ಹಿಂದುಗಳ ವ್ಯವಹಾರವನ್ನು ಧರ್ಮಶಾಸ್ತ್ರಾನುಗುಣವಾಗಿ ನಡಿಸಬೇಕೆಂದು ೧೮೦೨ ಇಸವಿ ೩ನೇ ರೆ ೧೬ನೇ ಪ್ರ. ೧೩ ಕಲಂನಲ್ಲಿ ವಿಧಿಸಲ್ಪಟ್ಟ ಪ್ರಕಾರ ಕೋರ್ಟಿನವರು ನಡಿಸತಕ್ಕವರು. ಸಾಲಕ್ಕೆ ಜವಾಬ್ ಮಾಡುವದು ಋಣಾದಾನಶಾಸ್ತ್ರಕ್ಕೆ ಸಂಬಂಧಿಸಿದ್ದು. ಇಂತಾ ಮೊಕದ್ದಮೆಗಳಲ್ಲಿ ನ್ಯಾಯವನ್ನು ಂಬಿಸಿ ಫೈಸಲ್ ಮಾಡತಕ್ಕದ್ದು. ಅದೇಪ್ರಕಾರ ತಂದೆಯಿಂದ

a son is liable for his father's debts only to the extent of the assets derived by him from his father S. U. Pro. 27 February 1837; C. O. 73 ;)Decree of S. U. in A 12 of 1851.

Assets may be pursued.

187. The assets of debtor may be pursued by a creditor into whosesoever's hands they may fall (II. 282, C).

Liability of widow.

188. A widow is not liable for her husband's debts unless she have derived property from him (II. 280, 281, C and E). The principle is applicable in the case of all other surviving relatives.

—of managing member.

189. Where property is held in common the managing member is answerable for all claims on the family (II. 334, E).

—of family property.

190. The family property is not answerable for the debt of an individual member (S. U. Pundits 13th November 1854).

191. The debtor's share in the property will however be liable (Decree of S. U. in A. 113 and 114 of 1855). But if he have male issue their shares are to be exempeted (Mitacshara on substraction of gifts).

—of widow's heirs.

192. Where property passes to widow those succeeding to her are not liable for debt contracted by her, unless of such nature as would have warranted her alienating the property for discharge thereof (S. D. A. VII. 114; Decree of S. D. A. in A. 179 of 1846).

స్వార్జితనల్లి మాడతక్క ఖర్చుగళు.

మొష్టు స్వత్తు బరుత్తో అష్టక్కే మాత్రవే అవన సాల వన్ను మగను తీరిసతక్కవనెందు విధిసల్పట్టిదె. (స. అ. ప్రో. ౧౮౩౭ ఫెబ్రవరి ౨౭; సర్క్యులర్ ఆర్డర్ ౭౩; స. అ. ౧౮౫౧ అ. నం. ౧౨౮రల్లు ఫైసల్

౧౮౭. దేణేదారన స్వత్తు యారవశదల్లి ద్దాగ్యూ అ దరమేలె తేణేదార దావా తరబహుదు. (౧. ౨౮౨కో). | ఆస్తిమేలె దావాతరువికె.

౧౮౮. వితంతువు తన్న గండనింద స్వత్తన్ను పడెయ దే యిద్దల్లి అవన ఋణవన్ను తీరిసబేకాద్దిల్లవు. (౨. ౨౮౦, ౨౮౧ కో. ఎ). ఈ నిబంధనె అవనతరువాయ జీవిసి యిరతక్కవరెల్లరిగూ అన్వయిసుత్తదె. | వితంతు జవాబ్ దారి.

౧౮౯. సముదాయ ద్రవ్యవన్ను తన్న స్వాధీనదల్లిట్టు కొండిరువ కుటుంబనిర్వాహకను కుటుంబదమేలె బరువ వివాదగళిగెల్ల జవాబ్ మాడబేకు. (౨. ౩౩౮ ఎ). | కుటుంబ నిర్వాహకన జవాబ్ దారి

౧౯౦. కుటుంబదప్పిక్కి ఒప్పన సాలక్కె సముదాయద్రవ్య యీడాగలారదు. (స. అ. పం. ౧౮౫౮ నవంబర్ తా॥ ౧౩). | కుటుంబద్రవ్యదమేలణ.

౧౯౧. పరంతు స్వార్జితనప్పిక్కి అవన భాగమాత్ర యీడాగువదు. (స. అ. ౧౮౫౫ అ. నం. ౧౧౩, ౧౧౮రల్లుతీర్పు.) అవనిగె పుత్రసంతతి యిద్దపక్షక్కె అవరభాగగళన్ను వినాయిసబేకు. (మితాక్షరదల్లి దత్తాప్రదానిక).

౧౯౨. వితంతువిన భాగక్కె స్వత్తు బరువల్లి ఆకె మాడిద సాలవన్ను తీరిసతక్కబళ్యె ఆ ద్రవ్యవన్ను వినియోగిసబహుదాదరేనే ఆ సాలగళిగె అవళ వారస్ దారరు జవాబ్ దారరాగుత్తారెయల్లదె మిక్క సాలక్కాగలారరు. (బం స. ది. అ. ౭. ౧౧౮; బం. స. ది. అ. ౧౮౪౬. అ. న. ౧౭౭రల్లు ఫైసల్). | వితంతువిన వారస్ దారర జవాబ్ దారి.

Provision for initiatory ceremonies.

193. The parties for whose initiatory ceremonies provision has to be made out of the estate are the brothers.

---for marriages.

194. Those whose marriage are to be so provided for are the brothers and the sisters (Mitacshara I. VII. 4. 5).

195. If there be only self acquired property a brother owning it is bound to provide out of it for the initiatory ceremonies (but not the marriages) of his brothers, and for the marriages of his sisters (Smruti Chandrika).

196. Provision for the initiatory ceremonies and marriages of sons, sons' sons, and sons' grand sons, and for marriages of daughters, will come out of the father's share.

---for maintenance.

197. The duty of affording maintenance embraces a wider range. The head of the family must support the whole family (I. 67).

198. Besides his personal family consisting of his wife and children a man is bound to maintain his father; his father's widows; his grandfather; grandmother; unmarried sisters; widowed sisters who may have no other provision; his illegitimate children and their mothers; those excluded from inheriting by legal disability; and the widows and daughters of the excluded (I. 67. 171. 175).

199. Also one adopted by him but who may prove disqualified for adoption; and the son of such disqualified person (I. 82. 97, 98).

ಸ್ವಾರ್ಜಿತದಲ್ಲಿ ಮಾಡತಕ್ಕ ಖರ್ಚುಗಳು.

೧೯೩. ಸಹೋದರರ ಉಪನಯನ ವಿದ್ಯಾಭ್ಯಾಸ ಮುಂತಾದ ಕರ್ಮಗಳಿಗೆ ಸಮುದಾಯದ್ರವ್ಯದಿಂದ ಖರ್ಚುಮಾಡತಕ್ಕದ್ದು.

ಉಪನಯನ ಮುಂತಾದ್ದರ ಖರ್ಚಿನ ನಿಬಂಧನೆ.

೧೯೪. ಸೋದರರಿಗೂ, ಭಗಿನೀರಿಗೂ, ಅದೇಮೇರೆಗೇನೇ ಮದುವೆಯೂ ಮಾಡತಕ್ಕದ್ದು. (ಮಿತಾಕ್ಷರ ೧. ೭. ೪. ೫).

ಮದುವೆಯ ಖರ್ಚಿಗೆ ನಿಬಂಧನೆ.

೧೯೫. ಸ್ವಾರ್ಜಿತದ್ರವ್ಯಮಾತ್ರ ವುಳ್ಳವನಾಗಿದ್ದರೆ ಅಂತವನು ತನ್ನ ಸೋದರರ ಉಪನಯನ ವಿದ್ಯಾಭ್ಯಾಸ ಮುಂತಾದ ಕರ್ಮಗಳನ್ನು ನಡಿಸಬೇಕು. ಮದುವೆ ಮಾಡಕೆಲಸವಿಲ್ಲವು. ತಂಗಿಯರಿಗೆ ಮದುವೆ ಮಾಡಬೇಕು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆ).

೧೯೬. ಪುತ್ರ, ಪೌತ್ರ, ಪ್ರಪೌತ್ರರ ಉಪನಯನ ವಿದ್ಯಾಭ್ಯಾಸ ವಿವಾಹಂಗಳಿಗೂ, ಹೆಂಣುಮಕ್ಕಳ ವಿವಾಹಕ್ಕೂ ತಂದೆಯ ಭಾಗದ್ರವ್ಯದಲ್ಲಿಯೇ ಖರ್ಚಿನ ವಿಷಯ ಯೇರ್ಪಡತಕ್ಕದ್ದು.

೧೯೭. ಕುಟುಂಬ ಭರಣವೆಂಬ ಕಾರ್ಯವು ಬಹುಜನ ವಿಷಯಕವಾಗಿರುತದೆ. ಕುಟುಂಬ ಜ್ಯೇಷ್ಠನಾದವನು ವಿಶಿಷ್ಟ ಕುಟುಂಬವನ್ನೂ ರಕ್ಷಿಸಬೇಕು. (೧. ೬೭).

ಜೀವನಾಂಶಕ್ಕೆ ನಿಬಂಧನೆ.

೧೯೮. ಭಾರ್ಯಾ ಪುತ್ರರುಳ್ಳ ತನ್ನ ಸ್ವಂತ ಕುಟುಂಬ ಶಿವಾಯಿ ಪುರುಷನು ತನ್ನತಂದೆ, ತಾಯಿಗಳು, ತಾತ, ಅಜ್ಜಿ, ಮದುವೆಯಿಲ್ಲದ ತಂಗಿಯರು, ವಿತಂತುಗಳಾಗಿ ಗತ್ಯಂತರವಿಲ್ಲದ ಸಹೋದರಿಗಳು, ತಾನು ಯಿಟ್ಟುಕೊಂಡವರು, ಅವರಮಕ್ಕಳು, ನ್ಯಾಯ್ಯವಾದ ಯೋಗ್ಯತೆ ಯಿಲ್ಲದ್ದರಿಂದ ದಾಯಕ್ಕೆ ತಪ್ಪಿದವರು ಅವರ ಹೆಂಡತಿಯರು ಹೆಂಣುಮಕ್ಕಳು ಯಿವರುಗಳನ್ನು ಸಂರಕ್ಷಿಸುವದಕ್ಕೆ ಬದ್ಧನಾಗಿರುತ್ತಾನೆ. (೧. ೬೭, ೧೭೧. ೧೭೫).

೧೯೯. ಸ್ವೀಕಾರಕ್ಕೆ ತರುವಾಯ ಅದಕ್ಕೆ ಅನರ್ಹನೆಂದು ತಿಳಿಯಲ್ಪಟ್ಟ ಸ್ವೀಕೃತನು ಅವನಮಗನು ಸಹ ಸಂರಕ್ಷಿಸಲ್ಪಡತಕ್ಕವರು. (೧. ೮೩, ೯೭, ೯೮).

200. Also a wife discarded without just cause (I. 46); but not one who may abandon him without sufficient reason (Decree of S. U. in A. 2. of 1823).

201. Also the widsw and daughters of a son (S. U. Pundits 10th April 1845).

202. And a brother's family, if property have been derived from the brother (S. U. Pundits 13th November 1854).

203. A son's widow is bound to maintain the father (S. U. Pundits 1st December 1853).

204. Undivided nephews have to maintain their uncle's widow, if sonless (S. U. Pundits 30th Hugust 1845).

205. By want of chastity a widow forfeits her stated provision of maintenance (I. 172).

206. Subsistence howover must be given to her, as also to an adulterous wife (I. 58; II. 39), but this need be but of the poorest kind; and the provision is dependent on the woman abandoning her incontinent course (S. U. Pundits 19th August 1830; 26th January 1854).

207. The widow's maintenance is to be irrespective of her individual property. This is on the ground that during her husband's life time she was thus entitled to support (S. U. Pundits

ಸ್ವತ್ತಿನಲ್ಲಿ ಮಾಡತಕ್ಕ ಖರ್ಚುಗಳು.

೨೦೦. ನ್ಯಾಯ್ಯವಾದ ಕಾರಣವಿಲ್ಲದೆ ತ್ಯಜಿಸಲ್ಪಟ್ಟ ಹೆಂಡತಿಯನ್ನು ಸಂರಕ್ಷಿಸಬೇಕು. (೧. ೪೬); ಆದರೆ ಸಾಕಾದನಿಮಿತ್ತವಿಲ್ಲದೆ ತನ್ನನ್ನು ಬಿಟ್ಟುಹೋದ ಹೆಂಡತಿಯನ್ನು ಸಂರಕ್ಷಿಸಬೇಕಾದ್ದಿಲ್ಲವು. (ಸ. ಅ. ೧೮೭೨ ಅ. ನಂ. ೭ಗಲ್ಲು ಫೈಸಲ್).

೨೦೧. ಪುತ್ರನು ತೀರಿಹೋದತರುವಾಯ ಅವನ ಭಾರ್ಯಾಪುತ್ರರನ್ನು ಸಂರಕ್ಷಿಸಬೇಕು. (ಸ. ಅ. ಪಂ. ೧೮೪೫ ಏಪ್ರಿಲ್ ೧೦).

೨೦೨. ಭ್ರಾತನ ಸ್ವತ್ತನ್ನು ಹೊಂದಿದವನು ಭ್ರಾತೃಕುಟುಂಬವನ್ನು ಸಂರಕ್ಷಿಸಬೇಕು. (ಸ. ಅ. ಪಂ. ೧೮೫೪ ನವಂಬರ್ ೧೩).

೨೦೩. ವೈಧವ್ಯವನ್ನು ಹೊಂದಿದ ಸೊಸೆ ತನ್ನ ಮಾವನನ್ನು ಸಂರಕ್ಷಿಸಬೇಕು. (ಸ. ಅ. ಪಂ. ೧೮೫೩ನೇ ಡಿಸಂಬರ್ ೧).

೨೦೪. ಅವಿಭಕ್ತ ಭ್ರಾತೃಪುತ್ರರು ತಮ್ಮ ಪಿತೃವ್ಯರಿಗೆ ಪುತ್ರರಿಲ್ಲದಿದ್ದರೆ ಅವರ ಹೆಂಡತಿಯರನ್ನು ಸಂರಕ್ಷಿಸಬೇಕು. (ಸ. ಅ. ಪಂ. ೧೮೪೫ ಆಗಸ್ಟ ೩೦).

೨೦೫. ವ್ಯಭಿಚಾರದಿಂದ ವಿತಂತುವಿಗೆ ತನ್ನ ಜೀವನಾಂಶದಲ್ಲಿ ಹಕ್ಕು ತಪ್ಪುತದೆ. (೧. ೧೭೨).

೨೦೬. ಆದಾಗ್ಯೂ ಅವಳಿಗೆ ಜೀವನಾಂಶ ಕೊಡಬೇಕು. ಹಾಗೆಯೇ ಹಾದರಗಿತ್ತಿಯಾದ ಹೆಂಡತಿಗೂ ಕೊಡಬೇಕು. (೧. ೫೮; ೨. ೩೯). ಆದರೆ ಅದು ಬಡತನಕ್ಕೆ ತಕ್ಕಷ್ಟು ಸಾಕು. ಹೆಂಗುಸು ತನ್ನ ದುಶ್ಚರ್ಯೆಯನ್ನು ಬಿಟ್ಟರೇಯೇ ಅವಳಿಗೆ ಜೀವನಾಂಶ ಸಲ್ಲುವದು. (ಸ. ಅ. ಪಂ. ೧೮೩೦ ಆಗಸ್ಟ ೧೯; ೧೮೫೪ ಜನವರಿ ೨೬).

೨೦೭. ವಿತಂತುವಿಗೆ ಸ್ವಂತದ್ರವ್ಯವಿದ್ದರೂ ಯಿಲ್ಲದಿದ್ದರೂ ಜೀವನಾಂಶಸಲ್ಲಬೇಕು. ಯಾತಕ್ಕೆಂದರೆ ಗಂಡ ಬದಿಕಿರುವಾಗ ಆಕೆ ಯಾಪ್ರಕಾರವೇ ಪೋಷಣೆಗೆ ಅರ್ಹೆಯಾಗಿರುತ್ತಾಳೆ. (ಸ. ಅ. ಪಂ. ೧೮೫೩ ಫೆಬ್ರವರಿ ೨೮) ಆದರೆ ವಿತಂತು ಅಂತಾ ಸಾಹಾ

28th February 1853). A remedy would however be afforded in equity where the circumstances of the widow might place her above the need of such support, and where the exaction thereof might be oppressive.

208. Where there may be no property but what has been self acquired, the only parties whose maintenance out of such property is imperative are aged parents, wife, and minor children (Mitacshara on substraction of gift).

Residence with maintainer not compulsory.

209. Parties receiving maintenance are not under compulsion to reside with those maintaining them.

210. For example, a widow need not reside with her father-in-law ; husband's brother (S. U. Pundits 16th February 1839; 26th February 1855 ; son, step son, or husband's retatives generally (Decree of S. U. in A. 13 of 1817 and 17 of 1846 ; Pro : of S. U. 18th September 1851).

211. Sons, whether legitimate or illegitimate, need not reside with their father, disobedience not being a ground of forfeiture (Decree of S. U. in A. 2 of 1821).

212. Equity however would give a remedy where the separate maintenance might be uncalled for and its exaction oppressive.

What is embraced as maintenance.

213. The maintenance to be provided embraces what is required for food, raiment, and lodging ; and must be apportioned according to the condition of the party who is to receive it, and the circumstances of those who are to provide it

ಸ್ವವನ್ನು ಅಪೇಕ್ಷಿಸಬೇಕಾದ ಜರೂರಿಲ್ಲದ ಸ್ಥಿತಿಯಲ್ಲಿದ್ದು, ತನ್ನ ೕವನಾಂಶವನ್ನು ತೆಗದುಕೊಳ್ಳುವದು ಪರರಿಗೆ ನಿರ್ಬಂಧರೂಪ ಾಗಿದ್ದಪಕ್ಷದಲ್ಲಿ ಧರ್ಮಸೂಕ್ಷ್ಮವಿಚಾರಿಸಿ ಅದನ್ನು ವಾರಿಸಬಹುದು.

೨೦೮. ಸ್ವಾರ್ಜಿತವಿನಾ ಮತ್ಯಾವದ್ರವ್ಯವೂ ಯಿಲ್ಲದಿದ್ದ ಕ್ಕೆ ಅಂತಾ ಸ್ವಾರ್ಜಿತದಿಂದ ಅವಶ್ಯ ಪೋಷ್ಯರಾದವರು ದ್ಧಮಾತೃಪಿತೃಗಳು, ಹೆಂಡತಿ, ಬಾಲಕರಾದಮಕ್ಕಳು ಯಿವರು ಳುಮಾತ್ರವೆ. (ಮಿತಾಕ್ಷರದಲ್ಲಿ ದತ್ತಪ್ರದಾನಿಕ).

೨೦೯. ಜೀವನಾಂಶ ತೆಗದುಕೊಳ್ಳತಕ್ಕವರು ಕೊಡತ ಕ್ಕವರೊಡನೆ ವಾಸಮಾಡಬೇಕಾದ್ದು ನಿರ್ಬಂಧನೀಯವಲ್ಲ. ಕೊಡತಕ್ಕವರೊಡನೆ ವಾಸ ನಿರ್ಬಂಧ ನೀಯವಲ್ಲ.

೨೧೦. ಇದಕ್ಕುದಾಹರಣ, ವಿಧವೆಯು ಮಾವನೊಂದಿಗಾ ಲಿ ಬಾವಮೈದುನಂದಿರೊಂದಿಗಾಗಲಿ ವಾಸಮಾಡಬೇಕಾದ ಜರೂ ಲ್ಲ. (ಸ. ಅ. ಪಂ. ೧೮೪೯ ಫೆಬ್ರವರಿ ೧೬; ೧೮೫೫ ಫೆಬ್ರ ರಿ ೨೬); ಮಗನೊಂದಿಗಾಗಲಿ, ಸವತಿಯಮಗನೊಂದಿಗಾಗಲಿ, ಂಡನಬಂಧು ಸಾಮಾನ್ಯರೊಂದಿಗಾಗಲಿ ವಸಿಸಬೇಕಾದ್ದಿಲ್ಲ. (ಸ. ೨. ೧೮೧೩ ಅ. ನಂ. ೧೩ರಲ್ಲಿ ೧೮೪೬ ಅ. ನಂ ೭ರಲ್ಲಿ ಫೈ ಸಲ್ ಸ. ಅ. ಪ್ರೊ. ೧೮೫೧ ಸೆಪ್ಟಂಬರ್ ೧೮).

೨೧೧. ಪುತ್ರರ ಅವಿಧೇಯತೆ ದಾಯದಲ್ಲಿ ಅವರಿಗೆ ಹಕ್ಕ ನ್ನು ತಪ್ಪಿಸಲಾರದಾಗಿ ಅವರು ಭಾರ್ಯೆಗೆ ಹುಟ್ಟಿದವರಾಗಲಿ, ಯಿ ಟ್ಟುಕೊಂಡವಳ ಮಕ್ಕಳಾಗಲಿ ತಂದೆಯೊಂದಿಗೆ ವಸಿಸಬೇಕಾದ ಜರೂರಿಲ್ಲ. (ಸ. ಅ. ೧೮೨೧. ಅ. ನಂ. ೨ಲ್ಲುಫೈಸಲ್).

೨೧೨. ಪ್ರತ್ಯೇಕ ಪ್ರತ್ಯೇಕವಾಗಿ ಸಂರಕ್ಷಿಸಬೇಕಾದ ಜ ರೂರಿಲ್ಲದೆ ಅದು ನಿರ್ಬಂಧರೂಪವಾಗುವ ಪಕ್ಷಕ್ಕೆ ಧರ್ಮಸೂ ಕ್ಷ್ಮ ವಿಚಾರಿಸಿ ಅದನ್ನು ನಿವರ್ತಿ ಮಾಡಬಹುದು.

೨೧೩. ಅನ್ನ, ವಸ್ತ್ರ, ನಿವಾಸ ಯಿವುಗಳೇ ಜೀವನಾಂಶ ವೆನ್ನಲ್ಪಡುವದು. ಅದು ಕೊಡತಕ್ಕ ತೆಗದುಕೊಳ್ಳತಕ್ಕವರ ... ಜೀವನಾಂಶ ಪಂದರೇನು.

CHAP. IX.

DISABILITY TO INHERIT.

Description of persons disqualified.

214. Those who are incompetent to inherit property are idiots; madmen; the deaf, and the blind who are so from birth; the dumb; those so lame as to be unable to walk on either foot, or such as may be without use of both hands; those having disease of an obstinate or agonizing nature such as atrophy and ulcerous leprosy; and the impotent (I. 152—156; Mitacshara II. X. 3).

215. Disease is made a cause of disability from the idea that it is the mark and consequence of sin committed in a former birth (I. 155, 156). Nothing but the removal of the disease will take away the disability.

216. Vice, neglect of duty, and profusion are also held to be disqualifying causes, the latter affecting the party guilty thereof to the extent that he may have dissipated the common means. But these circumstances are of doubtful applicability (I. 157—160).

When the causes of disability must have arisen.

217. The causes of disability, to prevail, must have arisen before the inheritance falls due. Their occurrence after succession has been obtained will not operate to divest the party of the inheritance (I. 163).

They affect both sexes.

218. They affect females equally as males (I. 164), saving that barrenness does not disqualify.

೯. ಪ್ರಕರಣ.

ದಾಯಾನರ್ಹತೆ.

೨೧೪. ಜಡರು, ಕುಬ್ಜರು, ಹುಟ್ಟುಕಿವುಡರು, ಹುಟ್ಟುಕುರುಡರು, ಮೂಗರು, ಯೆರಡುಕಾಲುಯಿಲ್ಲದ ಕುಂಟರು, ಯರಡುಕೈಗಳುಯಿಲ್ಲದವರು, ದೀರ್ಘರೋಗಿ, ಕ್ಷಯರೋಗಿ, ಕುಷ್ಟರೋಗಿ, ನಪುಂಸಕರು, ಯಿವರು ದಾಯಕ್ಕೆ ಅರ್ಹರಲ್ಲ. (೧. ೧೫೨. ೧೫೬; (ಮಿತಾಕ್ಷರ ೨. ೧೦. ೩). ದಾಯಾನರ್ಹರ ಲಕ್ಷಣ.

೨೧೫. ರೋಗವು ಪೂರ್ವಜನ್ಮ ಪಾಪಕ್ಕೆ ಗುರುತಾಗಿಯೂ, ಅದರ ಫಲವಾಗಿಯೂ, ಯಿರುತದೆಂಬ ಭಾವದಿಂದ ದಾಯಾನರ್ಹತೆಗೆ ರೋಗ ವೊಂದು ಕಾರಣವಾಗಿ ಹೇಳಲ್ಪಟ್ಟಿದೆ. (೧. ೧೫೫, ೧೫೬). ವ್ಯಾಧಿ ನಿವೃತ್ತಿಯಾದರೆ ದಾಯಕ್ಕೆ ಅನರ್ಹತೆಯೂ ತಪ್ಪುವದು.

೨೧೬. ದೌರ್ಜನ್ಯ, ಕರ್ತವ್ಯವನ್ನುಪೇಕ್ಷಿಸುವಿಕೆ, ಅತಿವ್ಯಯ, ಯಿವು ದಾಯಾನರ್ಹತೆಗೆ ಕಾರಣಗಳು. ಯೆಷ್ಟುಮಟ್ಟಿಗೆ ವ್ಯರ್ಥವ್ಯಯ ಮಾಡಲ್ಪಡುವದೋ ಅಷ್ಟುಮಟ್ಟಿಗೆ ಅವನ ಭಾಗದಲ್ಲಿ ಕಡಮೆಯಾಗುವದು. ಆದಾಗ್ಯೂ ಯೀ ವಿಷಯ ಜಾರೀಯಾಗುವದು ಸಂದಿಗ್ಧವಾದ್ದು. (೧. ೧೫೭—೧೬೦).

೨೧೭. ದಾಯಾನರ್ಹತ್ವಕ್ಕೆ ಕಾರಣಗಳು ದಾಯ ಸಲ್ಲತಕ್ಕ ಕಾಲಕ್ಕೆ ಪೂರ್ವವೇ ವುಂಟಾಗಬೇಕು. ಭಾಗವಾದಬಳಿಕ ಸಂಭವಿಸಿದ ಕಾರಣಗಳು, ದಾಯಕ್ಕೆ ಹಕ್ಕನ್ನು ಹೋಗಲಾಡಿಸಲಾರವು. (೧. ೧೬೩). ದಾಯಾನರ್ಹತ್ವ ಕಾರಣ ಯಾವಾಗ ಯಿರತಕ್ಕದ್ದು

೨೧೮. ಈ ದೋಷಗಳೆಲ್ಲ ಸ್ತ್ರೀಪುರುಷರಿಗೆ ಸಮಾನ. (೧. ೧೬೪.) ಆದರೆ ಬಂಜೆತನದಿಂದಮಾತ್ರ ಅನರ್ಹತ್ವ ಬರುವದಿಲ್ಲ. ಈ ದೋಷಗಳು ಸ್ತ್ರೀಯರಿಗಂತೆ ಪುರುಷರಿಗೂ.

When removed right revives.

219. If the causes of disability are removed by medicaments or penance the right of inheritance is revived (Mitacshara II. X. 7).

Descendants of the disqualified.

220. The descendants of a person excluded do not lose their right of inheritance unless themselves personally disqualified (I. 163); saving that an adopted son is not entitled to this consideration (Mitacshara II. X. ii).

221. A devotee does not inherit (I. 164).

Illegitimate offspring.

222. Illegitimate offspring, save among Soodras, cannot inherit (I. 165).

Outcastes.

223. Loss of caste is a ground of exclusion; but this part of the law has been abrogated by the British legislature (Act XXI of 1850).

Unfaithful wives.

224. An exception should however be made in the instance of a wife proving unfaithful to her husband. By the English law she would be subjected to process of divorse and so lose the right of succession to her husband. By Hindoo law the divorce occurs at once without process. An unchaste wife being therefore to be viewed as a divorced wife should not inherit from her husband.

೨೧೯. ಅವುಷಧ ಪ್ರಯೋಗದಿಂದಲಾಗಲಿ ಪ್ರಾಯಶ್ಚಿತ್ತದಿಂದಲಾಗಲಿ ಯೀ ದೋಷಗಳು ನಿವರ್ತಿಸಿದರೆ ದಾಯದಲ್ಲಿ ಸ್ವತ್ವ ಮರಳಿ ಯುಂಟಾಗುವದು (ಮಿತಾಕ್ಷರ ೨. ೧೦. ೬). ಅವು ನಿವರ್ತಿಸಿದರೆ ಸ್ವತ್ವಮರಳಿಯುಂಟಾಗುತದೆ.

೨೨೦. ದಾಯಾನರ್ಹನ ಸಂತತಿಯವರು ಸ್ವಯಂ ಯೀ ದೋಷಗಳಿಲ್ಲದವರಾದರೆ ಅವರ ದಾಯಾರ್ಹತೆ ಹೋಗಲಾರದು. (೧. ೧೬೩). ಆದರೆ ಸ್ವೀಕೃತ ಪುತ್ರನಿಗೆ ಅರ್ಹತೆ ಯಿಲ್ಲವು. (ಮಿತಾಕ್ಷರ ೨. ೧೦. ೨). ದಾಯಾನರ್ಹರ ಸಂತತಿಯವರು.

೨೨೧. ಸನ್ಯಾಸಿ ದಾಯಕ್ಕೆ ಅರ್ಹನಲ್ಲ. (೧. ೧೬೪). ಇಟ್ಟುಕೊಂಡವಳ ಮಕ್ಕಳು

೨೨೨. ಶೂದ್ರರಲ್ಲಿವಿನಾ ಯಿಟ್ಟುಕೊಂಡವಳ ಮಕ್ಕಳು ದಾಯಕ್ಕೆ ಅರ್ಹರಾಗಲಾರರು. (೧. ೧೬೫).

೨೨೩. ಜಾತಿಕೆಡುವಿಕೆ ದಾಯಾನರ್ಹತೆಗೆ ಕಾರಣ. ಆದರೆ ಯೀ ನಿಬಂಧನೆ ಬ್ರಿಟಿಷ್ ನ್ಯಾಯವಿಧಾಯಕರಿಂದ ರದ್ದು ಮಾಡಲ್ಪಟ್ಟಿತು. (೧೮೫೦ನೇಯಿಸವಿ ೨೧ನೆ ಆಕ್ಟು). ಜಾತಿಭ್ರಷ್ಟರು.

೨೨೪. ಆದರೆ ಹೆಂಡತಿ ಜಾರಿಣಿಯಾದಪಕ್ಷಕ್ಕೆ ಹಾಗೆ ರದ್ದಾಗಲಾರದು. ಇಂಗ್ಲಿಷ್ ಕಾನೂನ್ ಪ್ರಕಾರ ಜಾರಿಣಿ ತನ್ನ ಮೇಲೆ ವಿವಾಹಬಂಧವನ್ನು ಬಿಟ್ಟದ್ದಕ್ಕೋಸ್ಕರ ತರಲ್ಪಡುವ ದಾವೆಗೊಳಗಾಗಿ ತನ್ನ ಗಂಡನಿಗೆ ತರುವಾಯ ತನಗೆ ಲಭಿಸತಕ್ಕ ಸ್ವತ್ತನ್ನು ಕಳಕೊಳ್ಳುತ್ತಾಳೆ. ಹಿಂದೂ ಶಾಸ್ತ್ರಪ್ರಕಾರ ವಿವಾದವೇಯಿಲ್ಲದೆ ಶೂದ್ರೇ ವಿವಾಹ ಸಂಬಂಧವನ್ನು ಕಳಕೊಳ್ಳುತ್ತಾಳೆ. ಆದ್ದರಿಂದ ಜಾರಿಣಿ ಪರಿತ್ಯಜಿಸಲ್ಪಟ್ಟವಳಾಗಿ ಗಂಡನ ಸ್ವತ್ತಿನಲ್ಲಿ ಅವಳಿಗೆ ಸ್ವತ್ವ ತಪ್ಪುವದು. ಜಾರಿಣಿಯಾದ ಹೆಂಡತಿಯರು.

CHAP. X.

PARTITION.

Joint right in parallel heirs.

225. Property vests among Hindoos jointly in heirs of parallel grade, and the right of certain cosharers is kept alive in their issue to a limited extent.

Father and sons.

226. Sons have equal right with their father in respect of property derived by the father ancestrally, and failing sons their sons and grandsons.

Right of absentees.

227. In case of protracted absence unheard of on the part of an individual and his progeny his rights are kept alive to his sixth male direct descendant (I. 187, 188).

Heirs of parallel grade.

228. The heirs of parallel grade who are in natural co-parcenery are a father and his sons, sons' sons, and sons' grandsons; brothers, and their sons, sons' sons, and sons' grandsons; male cousins of male descent; widows of the same susband; daughters; daughters' sons; and daughters' daughters inheriting in the female line.

Inheriting *per capita* and *per stirpes*.

229. Of these the sons, brothers, (Mitacshara I. II. 5), widows (Smruti Chandrika), and daughters when taking from the father (Mitacshara II. ii. 1), inherit equally, or *per capita*; and the sons' sons and sons' grandsons, the bro-

೧೦ ಪ್ರಕರಣ.

ದಾಯಭಾಗವು.

ಸಮನಾದ ವಾರಸ್‌ದಾರರ ಸಮುದಾಯ ಸತ್ವ.

೨೨೫. ಹಿಂದುಗಳಲ್ಲಿ ಸ್ವತ್ತು ಸಮಾನಸ್ವತ್ವವುಳ್ಳ ದಾಯಾದಿಗಳಿಗೆ ಸಮುದಾಯವಾಗಿಯೇ ಸಲ್ಲುತದೆ. ಕೆಲವರು ದಾಯಾದಿಗಳ ಸ್ವತ್ವವು ಕೆಲವು ತಲಾಂತರಗಳವರಿಗೆ ಮಾತ್ರ ಸೇರುವಂತೆ ಊರ್ಜಿತವಾಗಿರುವದು.

ತಂದೆ ಮಕ್ಕಳು.

೨೨೬. ಹಿರಿಯರಿಂದ ಬಂದ ಆಸ್ತಿಯಲ್ಲಿ ತಂದೆಯೊಡನೆ ಮಕ್ಕಳು ಸಮಾನಸ್ವತ್ವವುಳ್ಳವರಾಗಿರುತ್ತಾರೆ. ಪುತ್ರರಿಲ್ಲದಿದ್ದರೆ ಪೌತ್ರಪ್ರಪೌತ್ರರು ಸಮಸ್ವತ್ವವುಳ್ಳವರು.

ಕಾಣದೇ ಹೋದವರಸ್ವತ್ವ.

೨೨೭. ಬಹುಕಾಲ ದೇಶಾಂತರಗತನಸಂಗತಿಯಾಗಲಿ, ಅವನಸಂತತಿ ಸಂಗತಿಯಾಗಲಿ ಫಲಾನಾದೆಂದು ತಿಳಿಯದೇಹೋದರೆ ಸ್ವತ್ತಿನಲ್ಲಿ ಅವನಹಕ್ಕು ಅವನ ಪುತ್ರಪರಂಪರೆಯೊಳಗೆ ಆರನೇತಲೆವರಿಗೆ ಜೀವಿಸಿ ಯಿರುತ್ತದೆ. (೧. ೧೮೭, ೧೮೮).

ಸಮಾನತರವುಳ್ಳವಾರಸ್‌ದಾರರು.

೨೨೮. ತಂದೆ, ಮಕ್ಕಳು, ಮಮ್ಮಕ್ಕಳು, ಮರಿಮಕ್ಕಳು, ಇವರು ಸಹಜವಾಗಿ ಸಮಾನತರವುಳ್ಳ ವಾರಸ್‌ಗಳು; ಹೀಗೆಯೇ ಅಣ್ಣತಮ್ಮಂದರು, ಅವರಮಕ್ಕಳು ಮಮ್ಮಕ್ಕಳು, ಮರಿಮಕ್ಕಳು; ಚಿಕ್ಕಪ್ಪ ದೊಡ್ಡಪ್ಪಂದರ ಪುತ್ರಪರಂಪರೆಯವರು; ಯಿದೇಮೇರೆ ಅವರ ವಿತಂತುಗಳು; ಹೆಂಣುಮಕ್ಕಳು, ದೌಹಿತ್ರರು, ದೌಹಿತ್ರಿಯರು ಇವರು ಸ್ತ್ರೀಸಂತತಿಯಲ್ಲಿ ಬಾಧ್ಯತೆಯನ್ನು ಹೊಂದುತ್ತಾರೆ.

ಅಂಶಭಾಗಗಳು ಅಂಶಾಂಶಭಾಗಗಳು.

೨೨೯. ಇವರುಗಳಲ್ಲಿ ಪುತ್ರರು ಸೋದರರು (ಮಿತಾಕ್ಷರ ೧. ೨. ೫) ವಿತಂತುಗಳು (ಸ್ಮೃತಿಚಂದ್ರಿಕೆ) ತಂದೆಯಿಂದ ಸ್ವತ್ತನ್ನು ಪಡೆಯುವ ಹೆಂಣುಮಕ್ಕಳು (ಮಿತಾಕ್ಷರ ೨. ೨. ೧) ಸಮಾಂಶಭಾಗಿಗಳು. ಮತ್ತು ಪುತ್ರರ ಪುತ್ರರು, ಪುತ್ರರಪೌತ್ರರು, ಸಹೋದರರ ಪುತ್ರಪೌತ್ರಪ್ರಪೌತ್ರರು, ಚಿಕ್ಕಪ್ಪ ದೊ

thers' sons, sons' sons, and sons' grandsons, the cousins (Mitacshara I. V. I), daughters' sons, daughters taking from the mothers (Mitacshara II. XI. 16), and grand daughters, according to the share of the person through whom they derive the inheritance, or *per stirpes*.

Daughters.

230. Daughters however take precedence of one another according as they are unmarried or married ; whith male issue or without it ; and unendowed or endowed (I. 138 ; Mitacshara II. XI. 13).

Succession of coheirs.

231. The male issue of a man, that is his sons, sons' sons, and sons' grand sons, must have been exhausted before his lapsed share falls to those in parallel grade to himself ; that is to his brothers. In like maner daughtrs' sons must have been exhausted before the lapsed share of the daughter falls to other daughters. In the remaining classes of coheirs the right of one coheir vests in the survivors of the same grade before passing on to the next in the line of descent.

Self acquired property.

232. Self acquired property of a coheir does not vest in his coheirs. It belongs to the acquirer's individual line (I. 120).

233. Brothers consequently may enter into contracts with each other in respect of what each may separately have acquired (Decree of Civil Court of Coimbatore in Appeal 129 of 1852).

234. A father however has co-ordinate interest in property acquired by his sons while living in association with him (I. 63, 64).

ಡ್ಡಪ್ಪಂದರ ಪುತ್ರರು (ಮಿತಾಕ್ಷರ ೧. ೫. ೧) ಪುತ್ರಿಕೆಯರ ಪುತ್ರರು, ಮಾತೃದ್ರವ್ಯವನ್ನು ಹೊಂದುವ ಪುತ್ರಿಕೆಯರು, (ಮಿತಾಕ್ಷರ ೨. ೧೧. ೧೬) ಮಗಳ ಮಮ್ಮಕ್ಕಳು ಅಂಶಾಂಶಭಾಗಿಗಳು.

೨೩೦. ಹೆಣ್ಣುಮಕ್ಕಳಲ್ಲಿ ಮದುವೆಯಾದವಳಿಗಿಂತ ಮದುವೆಯಿಲ್ಲದವಳಿಗೂ, ಮಕ್ಕಳಿಲ್ಲದವಳಿಗಿಂತ ಮಕ್ಕಳಿರುವವಳಿಗೂ, ಸ್ತ್ರೀಧನವಿದ್ದವಳಿಗಿಂತ ಸ್ತ್ರೀಧನವಿಲ್ಲದವಳಿಗೂ ಮುಂದಾಗಿ ದಾಯಸಲ್ಲುವದು (೧. ೧೩೮; ಮಿತಾಕ್ಷರ ೨. ೧೧. ೧೩). ಹೆಣ್ಣುಮಕ್ಕಳು.

೨೩೧. ಒಬ್ಬನಸ್ವತ್ತು ಅವನ ಸಹೋದರರಿಗೆ ಸೇರಬೇಕಾದರೆ ಅವನಿಗೆ ಪುತ್ರಪೌತ್ರಪ್ರಪೌತ್ರರಿಲ್ಲದೇ ಯಿರಬೇಕು. ಹೀಗೆಯೇ ಹೆಣ್ಣುಮಗಳಿಗೆ ಪುತ್ರರಿಲ್ಲದಿದ್ದರೆ ಅವಳ ಭಾಗ ಯಿತರ ಹೆಣ್ಣುಮಕ್ಕಳಿಗೆ ಸೇರುವದು. ಮಿಕ್ಕ ಸಮಾಂಶಕರ ವರ್ಗಗಳಲ್ಲಿ ಒಬ್ಬ ಸಮಾಂಶಕನ ಸ್ವತ್ತು ಅವನ ಸಂತತಿಯವರನ್ನು ಹೊಂದುವದಕ್ಕಿಂತಲೂ ಮುಂದಾಗಿ ಜೀವಿಸಿಯಿರುವ ತನ್ನ ಸಮಾನತರದವರನ್ನು ಹೊಂದುವದು. ಸಮಾಂಶಕರ ಪರಂಪರಾ ಸ್ವತ್ವಲು.

೨೩೨. ಒಬ್ಬ ಸಮಾಂಶಕನ ಸ್ವಾರ್ಜಿತವು ಮಿಕ್ಕ ಸಮಾಂಶಕರಿಗೆ ಸೇರದು. ಅವನ ಸಂತತಿಯವರಿಗೇ ಸೇರುವದು. (೧. ೧೨೦). ಸ್ವಾರ್ಜಿತವು.

೨೩೩. ಆದ್ದರಿಂದ ಸಹೋದರರು ಸ್ವಾರ್ಜಿತವನ್ನು ಕುರಿತು ಪರಸ್ಪರ ನಿರ್ಣಯಗಳನ್ನು ಮಾಡಿಕೊಳ್ಳಬಹುದು. (ಕೋಯಂಬತ್ತೂರುಸಿವಿಲ್ ಕೋರ್ಟು ೧೮೫೨ ಅ. ನಂ. ೧೨೯ ರಲ್ಲು ಫೈಸಲ್).

೨೩೪. ತನ್ನೊಡನೆ ಕೂಡಿ ವಾಸಮಾಡುತ್ತಿರುವ ಮಕ್ಕಳ ಆರ್ಜಿತದಲ್ಲಿ ತಂದೆಗೆ ಸಮಭಾಗವುಂಟು. (೧. ೬೩, ೬೪).

Manager of joint property.

235. In a family continuing united after the death of the father the eldest parcener manages the joint property, unless objected to on the score of character (or efficiency) by the others (I. 199).

Power of manager.

236. The acts of the managing member when for the good of the family are binding upon it, but in making alienation of the property the consent of the coparceners, expressed or implied, is necessary (I. 199, 200).

Division allowable.

237. The condition of coparcenery may be broken up by partition of the joint property, each coheir taking his appointed share. The effect of such division is to vest the divided share absolutely in each separate member and in his line after him.

Power of male isue to compel father to divide

238. Sons may at their will, and irrespective of all circumstances, compel their father to divide with them the ancestral property (Mitacshara I. V. 8).

239. Sons who have demised being represented by their sons or grand sons, the latter also may force on such division (Mitacshara I. i. 3, 23).

240. Should the father have become a devotee he is considered civilly dead, and the sons may proceed to division without him (I. 179).

೨೩೫. ತಂದೆ ಕಾಲವಾದಬಳಿಕ ಕೂಡಿ ವಸಿಸುವ ಕುಟುಂಬದವರಲ್ಲಿ ಜ್ಯೇಷ್ಠನಾದವನು ಯೋಗ್ಯನಲ್ಲವೆಂತಲೂ, ನಿರ್ವಾಹಕನಲ್ಲವೆಂತಲೂ, ಯಿತರರಿಂದ ಆಕ್ಷೇಪಿಸಲ್ಪಡದಿದ್ದರೆ ಸಮುದಾಯ ದ್ರವ್ಯವನ್ನು ಯಿಟ್ಟುಕೊಂಡು ಕುಟುಂಬಕಾರ್ಯವನ್ನು ನಿರ್ವಹಿಸಬಹುದು. (೧. ೧೯೯). ಸಮುದಾಯ ದ್ರವ್ಯದಲ್ಲಿ ನಿರ್ವಾಹಕನು.

೨೩೬. ಅಂತಾ ನಿರ್ವಾಹಕನಾದ ಜ್ಯೇಷ್ಠನು ಕುಟುಂಬದ ಲಾಭಕ್ಕೋಸ್ಕರ ಮಾಡುವ ಕಾರ್ಯಗಳು ಸಲ್ಲುವದೇ ಹೊರತು ಸ್ವತ್ತಿನವಿನಿಯೋಗದಲ್ಲಿ ಸಮಾಂಶಕರ ಅನುಮತಿ ಮಾತುಗಳಿಂದಾಗಲಿ ಭಾಗದಿಂದಾಗಲಿ ಅವಶ್ಯ ಹೊಂದಬೇಕು. (೧. ೧೯೯, ೨೦೦) ನಿರ್ವಾಹಕನ ಅಧಿಕಾರ.

೨೩೭. ದಾಯಾದಿಗಳ ಸಮುದಾಯ ದ್ರವ್ಯವನ್ನು ತಮತಮಗೆ ನಿಷ್ಕರ್ಷೆಯಾದ ಭಾಗಪ್ರಕಾರ ಹಂಚಿಕೊಳ್ಳುವದರಿಂದ ಅವರ ಅವಿಭಕ್ತತ್ವ ನಿವರ್ತಿಸುತದೆ. ಈ ವಿಭಾಗಕ್ಕೆ ಫಲವೇನೆಂದರೆ—ಭಾಗವಾದ ಸ್ವತ್ತು ಪ್ರತ್ಯೇಕ ಆಯಾ ದಾಯಾದಿಗೆ ಸೇರಿ ಅವನತರುವಾಯ ಅವನ ಸಂತತಿಯವರನ್ನು ಸೇರುವದು. ವಿಭಾಗಕ್ಕೆ ಅನುಮತಿ.

೨೩೮. ಮಕ್ಕಳು ತಂದೆಯ ಯಾವದಶೆಯನ್ನೂ ಗಣಿಸದೆ ಹಿರಿಯರ ಆಸ್ತಿಯನ್ನು ತಮ್ಮೊಡನೆ ಹಂಚಿಕೊಳ್ಳಹೇಳಿ ತಮ್ಮ ಯಿಷ್ಟಬಂದಂತೆ ಅವನನ್ನು ಬಲಾತ್ಕಾರಮಾಡಬಹುದು. (ಮಿತಾಕ್ಷರ ೧. ೫. ೮). ಪುತ್ರ ಹುದಾಯವನ್ನು ಭಾಗಿಸಹೇಳಿ ತಂದೆಯನ್ನು ಕೇಳುವ ಅಧಿಕಾರ.

೨೩೯. ಪುತ್ರರು ಗತಿಸಿದ ಬಳಿಕ ಅವರಿಗೆ ಬದಲಾಗಿ ಮಂಮಕ್ಕಳು ಮರಿಮಕ್ಕಳು ಆಮೇಲೆ ಭಾಗಕ್ಕೋಸ್ಕರ ಬಲಾತ್ಕರಿಸಬಹುದು. (ಮಿತಾಕ್ಷರ ೧. ೧. ೩, ೨೩).

೨೪೦. ಸನ್ಯಾಸಿಯಾದ ತಂದೆ ಮೃತಪ್ರಾಯನಾದ್ದರಿಂದ ಅವನಿಲ್ಲದೇಯೇ ಪುತ್ರರು ಭಾಗಿಸಿಕೊಳ್ಳಬಹುದು. (೧. ೧೭೯).

241. His degradation from caste would operate according to Hindoo law in the same way, but the British legislature have ruled that this circumstance shall not interfere with an individual's rights in property (Act XXI- of 1850).

Father and sons to share alike.

242. In coming to a partition of the ancestral property the father and the sons are to share alike (Mitacshara I. V. 5). His self acquired property the father may retain for himself (I. 196).

243. The sons all share alike. Their shares are not governed by the number of the mothers from whom they may have sprung (I. 193, 205).

244. It has been thought that the sons of Soodras share according to their mothers; but the opinion is an erroneous one. The same rule of equality of share for sons prevails for all classes (Decree of S. U. in A. 20 of 1846).

Sons born after adoption.

245. Where however a son may be one by adoption, and there are other sons by birth after the adoption, the adopted son is entitled to but one fourth of what forms the share of each of the after born sons (Elberling 71.

Illegitimate sons of Soodras.

246. The illegitimate sons of Soodros are entitled to half such a share as falls to a legitimate son. During the father's life time the illegitimate sons obtaining such share depends upon the pleasure of the father. After his death he can claim it of right from the legitimate sons (Mitacshara I. xii. 1, 2).

೨೪೧. ಹೀಗೆಯೇ ಜಾತಿಭ್ರಷ್ಟನೂ ಶಾಸ್ತ್ರರೀತ್ಯಾ ಪ್ರಾ ...ಪಾಯನೇ ಆದರೆ ಜಾತಿ ಕೆಡುವದರಿಂದ ಸ್ವತ್ತಿನೊಳಗಣ ಹ ...ಕ್ಕಗೇನೂ ಪ್ರತಿಬಂಧಕವಿಲ್ಲವೆಂದು ಇಂಗ್ಲಿಷ್ ನ್ಯಾಯವಿಧಾಯಕ ...ರು ನಿಬಂಧನೆಮಾಡಿದ್ದಾರೆ. (೧೮೫೦ನೆಯಿಸವಿ ೨೧ನೆ ಆಕ್ಟು).

೨೪೨. ತಂದೆ ಮಕ್ಕಳು ಪೂರ್ವಿಕರ ಆಸ್ತಿಯನ್ನು ಹಂಚಿ ಕೊಳ್ಳುವಲ್ಲಿ ಸಮನಾಗಿ ಭಾಗಿಸಿ ಕೊಳ್ಳಬೇಕು. (ಮಿತಾಕ್ಷರ ೧. ೫. ೫) ತಂದೆ ಸ್ವಾರ್ಜಿತವನ್ನು ತನಗೇ ಯಿಟ್ಟುಕೊಳ್ಳಬಹುದು. (೧. ೧೯೬).

ತಂದೆಮಕ್ಕಳು ಸಮನಾಗಿ ಹಂಚಿಕೊಳ್ಳುವಿಕೆ.

೨೪೩. ಪುತ್ರರಿಗೆಲ್ಲ ಭಾಗಗಳು ಸಮ. ತಾಯಿಗಳ ಸಂಖ್ಯೆಯಮೇಲೆ ಹೆಚ್ಚುಕಡಿಮೆಗಳಾಗಲಾರವು. (೧. ೧೯೩, ೨೦೫).

೨೪೪. ಶೂದ್ರರಲ್ಲಿ ತಾಯಿಗಳ ಸಂಖ್ಯೆಯಮೇಲೆ ಭಾಗವೆಂದೆಣಿಸುತ್ತಾರೆ. ಆದರೆ ಆ ಯಭಿಪ್ರಾಯ ಸರಿಯಲ್ಲವು. ಪುತ್ರರೆಲ್ಲರಿಗೂ ಭಾಗಸಮನಾಗಿ ಸಲ್ಲಬೇಕೆಂಬವಿಧಿ ಯೆಲ್ಲಜಾತಿಯವರಿಗೂ ಸಮನಾಗಿರುವದು. (ಸ. ಅ. ೧೮೪೬ ಅ. ನಂ. ೨೦೪ಲ್ಲುಫ್ಯ್ರಸಲ್).

೨೪೫. ದತ್ತ ಸ್ವೀಕಾರಕ್ಕೆ ತರುವಾಯ ಹುಟ್ಟಿದ ಮಕ್ಕಳಲ್ಲಿ ಪ್ರತಿಯೊಬ್ಬನಿಗೆ ಬಂದ ಭಾಗದಷ್ಟರಿ ನಾಲ್ಕನೇ ಭಾಗಕ್ಕೆ ಸಮನಾದ ಭಾಗ ದತ್ತನಿಗೆ ಸಲ್ಲತಕ್ಕದ್ದು. ...ಎಲ್ ಬರ್ಲಿಂಗ್ ೭೧).

ಪುತ್ರಸ್ವೀಕಾರದ ಬಳಿಕ ಹುಟ್ಟಿದಮಕ್ಕಳು.

೨೪೬. ಶೂದ್ರರಲ್ಲಿ ಕುಲಸ್ತ್ರೀ ಪುತ್ರನಿಗೆ ಬರುವ ಭಾಗದೊಳಗೆ ಅರವಾಸಿಭಾಗ ಕೂಡಿದವರ ಮಕ್ಕಳಿಗೆ ಸಲ್ಲತಕ್ಕದು. ತಂದೆ, ಜೀವಿಸಿಯಿರುವಾಗ ತನಗೆ ಯಿಷ್ಟಬಂದಷ್ಟು ಭಾಗವನ್ನು ತನ್ನ ಕೂಡಿದವರ ಮಕ್ಕಳಿಗೆ ಕೊಡಬಹುದು. ತಂದೆ ಕೊಡದಬಳಿಕ ತಮ್ಮ ಭಾಗವನ್ನು ಕೊಡಹೇಳಿ ಕುಲಸ್ತ್ರೀಪುತ್ರರನ್ನು ಕೇಳುವ ಅಧಿಕಾರ ಅವರುಗಳಿಗುಂಟು. (ಮಿತಾಕ್ಷರ ೧. ...೨. ೧, ೨).

ಶೂದ್ರರ ಕೂಡಿದವರ ಮಕ್ಕಳು.

N

Division of self acquired

247. Should the father resolve to divide his self acquired property with his sons he must allot them equal shares, but may reserve a doubleshare to himself (Smruti Chandrika).

Resumption thereof.

248. In case of indigency the father may resume the self acquired property given by him in partition to his sons (I. 196).

A single son may divide off.

249. Division may be made in respect of one son only, the rest continuing undivided (I. 193, 194); and in forcing division from the father each son can claim for himself alone, though several may sue jointly for their respective shares.

Renuuciation of share.

250. On partition being made, a son may accept a trifle by way of satisfaction and renounce his share, and his heirs will be bound by his act (I. 195). A son cannot however make such renunciation unless able to earn his own maintenance (Mitacshara I. ii. 11, 12).

Sons born after partition.

251. Should other sons be born after partition made with the father their portions are to come from the father's share (Mitacshara I. vi. 2).

252. A son born after partition succeeds to his father's share to the exclusion of the divided sons. But should any of these have reunited with the father they will share with him (I. 182).

ಸ್ವಾರ್ಜಿತ ವಿಭಾಗ.

೨೪೭. ಸ್ವಾರ್ಜಿತವನ್ನು ಪುತ್ರರಿಗೂ ತನಿಗೂ ಭಾಗಿಸಿಕೊಳ್ಳಬೇಕೆಂದು ನಿಶ್ಚಯಿಸಿದ ತಂದೆ ಅವರಿಗೆ ಸಮಭಾಗ ಕೊಡಬೇಕು. ಆದರೆ ತನಗೆ ಯೆರಡುಭಾಗ ಯಿಟ್ಟುಕೊಳ್ಳಬಹುದು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆ).

ಅವನ್ನು ವಾಪಸ್ ತೆಗದು ಕೊಳ್ಳುವಿಕೆ.

೨೪೮. ಬಡತನ ಬಂದಾಗ ಮುಂದೆ ತಾನು ಮಕ್ಕಳಿಗೆ ಹಂಚಿಕೊಟ್ಟ ಸ್ವಾರ್ಜಿತ ಸ್ವತ್ತನ್ನು ತಂದೆ ವಾಪಸ್ ತೆಗದು ಕೊಳ್ಳಬಹುದು. (೧. ೧೯೬).

ವೊಬ್ಬನು ಭಾಗಿಸಿಕೊಳ್ಳ ಬಹುದು.

೨೪೯. ಇತರ ಪುತ್ರರು ಅವಿಭಕ್ತರಾಗಿರುವಲ್ಲಿ ವೊಬ್ಬನು ತನಿಗೆಮಾತ್ರ ಭಾಗಿಸಿಕೊಡಬಹುದು. (೧. ೧೯೩, ೧೯೪); ತಮ್ಮ ತಮ್ಮಭಾಗ ಕೊಡಹೇಳಿ ಪುತ್ರರಲ್ಲೊಬ್ಬನು ತಂದೆಯನ್ನು ಕೇಳಬಹುದು. ಅವರವರ ಭಾಗಕ್ಕೋಸ್ಕರ ಅನೇಕರು ಸೇರಿ ಅವನಮೇಲೆ ದಾವೆ ತರಬಹುದು.

ಭಾಗವನ್ನು ಬಿಡುವಿಕೆ.

೨೫೦. ವಿಭಾಗದಲ್ಲಿ ಯಿತರರ ತೃಪ್ತ್ಯರ್ಥವಾಗಿ ಯೇನೋ ಸ್ವಲ್ಪಭಾಗ ತೆಗದುಕೊಂಡು ತನ್ನ ಭಾಗವನ್ನು ಬಿಟ್ಟು ಬಿಡಬಹುದು. ಅವನು ಮಾಡಿದ್ದಕ್ಕೆ ಅವನ ವಾರಸ್‌ಗಳು ಬದ್ಧರಾಗಿರುತ್ತಾರೆ. (೧. ೧೯೫). ಆದರೆ ತನ್ನ ಜೀವನವನ್ನು ಸಂಪಾದಿಸಿಕೊಳ್ಳುವದಕ್ಕೆ ಶಕ್ತನಾಗಿದ್ದ ಹೊರತು ಹಾಗೆ ಬಿಟ್ಟುಬಿಡಕೂಡದು. (ಮಿತಾಕ್ಷರ ೧. ೨. ೧೧, ೧೨).

ವಿಭಾಗಾನಂತರ ಹುಟ್ಟಿದಮಕ್ಕಳು.

೨೫೧. ತಂದೆ ಮಕ್ಕಳೊಂದಿಗೆ ವಿಭಾಗಮಾಡಿಕೊಂಡಬಳಿಕ ಹುಟ್ಟಿದಮಕ್ಕಳಿಗೆ ತಂದೆಯ ಭಾಗದಿಂದಲೇ ಭಾಗಸಲ್ಲತಕ್ಕದ್ದು. (ಮಿತಾಕ್ಷರ ೧. ೬. ೨).

೨೫೨. ವಿಭಾಗವಾದ ತರುವಾಯ ಹುಟ್ಟಿದ ಮಗನಿಗೆ ತಂದೆಯ ಭಾಗದಲ್ಲಿ ಭಾಗ ಸಿಕ್ಕುವದಲ್ಲದೆ ಪೂರ್ವ ವಿಭಕ್ತರಾದ ಅಂಣತಂಮಂದರ ಭಾಗದಲ್ಲಿ ಸಿಕ್ಕಲಾರದು. ಅವರುಗಳಲ್ಲಿ ಯಾರಾದರೂ ಮರಳಿ ತಂದೆಯೊಡನೆ ಕೂಡಿಯಿದ್ದರೆ ಅವರೂ ಅವನೊಡನೆ ಸಮನಾಗಿ ಭಾಗಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. (೧. ೧೭೨).

253. Should there be no after born sons the divided sons inherit the father's share (I. 183).

Father's self acquired property.

254. On partition occurring between the sons (as brothers) after the death of the father, his self acquired property is divisible among them equally as the ancestral property, and their shares in all are alike (I. 208).

Partition after death of each parent.

255. In Menu it is laid down (IX. 104) that after the death of the father and the mother the brothers may divide the paternal and maternal estate. In the Smruti Chandrika it is explained that this signifies not that both parents must have demised before the sons can proceed to make partition, but that the estate of each parent may be divided on the death of each, the one parent not having ownership in the other's property where there are children (I. 204). In partition however by sons of the mother's property the assumption of course is that there are no daughters, as these would take first (Mitacshara I. iii. 13).

A single parcener may claim his share.

256. Any one parcener may compel the others to relinquish to him his share, the rest remaining united (I. 204).

Power to compel division in behalf of minor.

257. A minor cannot sue for division unless his interests are endangered by waste, when a suit for appropriation to him of his share may be brought on his behalf by his guardian (I. 206).

೨೫೩. ಆ ತರುವಾಯ ಮಕ್ಕಳು ಹುಟ್ಟದೇಯಿದ್ದ ಪಕ್ಷಕ್ಕೆ ತಂದೆಯ ಭಾಗವನ್ನು ವಿಭಕ್ತರಾದ ಮಕ್ಕಳು ಹೊಂದುತ್ತಾರೆ. (೧. ೧೮೩). ವಿಭಾಗಪುತ್ರರು.

೨೫೪. ತಂದೆ ಗತಿಸಿದ ಬಳಿಕ ಅವನ ಸ್ವಾರ್ಜಿತವನ್ನು ಭಾಗಿಸಿಕೊಳ್ಳಬೇಕಾಗಿ ಬಂದಾಗ ಪುತ್ರರು ತಾತಮುತ್ತಾತರ ದ್ರವ್ಯದಲ್ಲಿ ಹ್ಯಾಗೋ ಹಾಗೆ ಎಲ್ಲರೂ ಸಮನಾಗಿ ಭಾಗಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. (೧. ೨೦೮). ೩. ಸ್ವಾರ್ಜಿತ.

೨೫೫. ತಾಯಿತಂದೆಗಳು ಗತಿಸಿದಬಳಿಕ ಅವರ ಸ್ವತ್ತನ್ನು ಪುತ್ರರು ಹಂಚಿಕೊಳ್ಳತಕ್ಕದ್ದೆಂದು ಮನುಸ್ಮೃತಿಯಲ್ಲಿ (೯. ೧೦೪). ಹೇಳಲ್ಪಟ್ಟಿರುತ್ತದೆ. ಇದರಿಂದ ತಾಯಿತಂದೆಗಳಿಬ್ಬರೂ ಗತಿಸಿದ ತರುವಾಯಲೇ ಭಾಗಿಸಿಕೊಳ್ಳಬೇಕೆಂದು ತಾತ್ಪರವಲ್ಲವು. ಪುತ್ರರಿರುವಲ್ಲಿ ತಾಯಿತಂದೆಗಳೊಳಗೊಬ್ಬರ ದ್ರವ್ಯದಲ್ಲೊಬ್ಬರಿಗೆ ಅಧಿಕಾರವಿಲ್ಲವಾಗಿ ಅವರಲ್ಲಿ ಗತಿಸಿದವರ ದ್ರವ್ಯವನ್ನು ಭಾಗಿಸಿಕೊಳ್ಳಬಹುದೆಂದು ತಾತ್ಪರ್ಯವೆಂಬದಾಗಿ ಸ್ಮೃತಿಚಂದ್ರಿಕೆಯಲ್ಲಿ ವಿವರಿಸಲ್ಪಟ್ಟಿದೆ. (೧. ೨೦೪). ತಾಯಿ ದ್ರವ್ಯದಲ್ಲಿ ಹೆಣ್ಣುಮಕ್ಕಳಿಗೆ ಸ್ವತ್ವವಿರುವದರಿಂದ ಅವರು ಯಿಲ್ಲದಪಕ್ಷದಲ್ಲೇ ಆ ದ್ರವ್ಯವನ್ನು ಪುತ್ರರು ಹಂಚಿಕೊಳ್ಳಬಹುದು. (ಮಿತಾಕ್ಷರ ೧. ೩. ೧೩).

ತಂದೆಯಾಗಲಿ ತಾಯಾಗಲಿ ಹೋದಮೇಲೆ ಭಾಗ.

೨೫೬. ಒಬ್ಬ ಅಂಶತನು, ವಿಭಕ್ತರಲ್ಲದೆ ಕೂಡಿಯಿರುವ ಮಿಕ್ಕಾದವರನ್ನು, ತನ್ನ ಭಾಗ ಹಂಚಿಕೊಡಹೇಳಿ ಬಲಾತ್ಕರಿಸಬಹುದು.

ಒಬ್ಬ ಅಂಶತನು ತನ್ನ ಭಾಗವನ್ನು ಹಂಚಿಕೊಡ ಹೇಳಿ ಕೇಳಬಹುದು.

೨೫೭. ಬಾಲನು ತನ್ನ ಭಾಗಕ್ಕೆ ದುರ್ವ್ಯಯದಿಂದ ಹಾನಿ ಬಾರದೇ ಯಿದ್ದಪಕ್ಷಕ್ಕೆ ಅದಕ್ಕಾಗಿ ದಾವೇಮಾಡಕೂಡದು ಹಾನಿಯುಂಟಾಗುವದಾದರೆ ಆ ಬಗ್ಗೆ ಅವನ ಸಂರಕ್ಷಕನು ದಾವೇ ತರಬಹುದು. (೧. ೨೦೬).

ಬಾಲನಿಗಾಗಿ ಭಾಗ ಕೇಳುವ ಅಧಿಕಾರ.

Posthumous son.

258. On division being made after the death of a brother who may have demised without male issue, a share must be taken from out of the divided shares for his posthumous son, should his widow bear one to him (I. 207, Mitacshara I. vi. 11).

Renunciation of share.

259. A coheir on partition may waive his right by acceptance of a trifle, and this operates as an estoppel against his claim ever after (I. 207).

Certain contingencies of division.

260. The following are illustrations of some of the contingencies of a division among brothers.

(1). A, B and C are brothers. A dies leaving three sons, D, E and F. One of these, namely D, dies leaving three sons, G, H and I. The original brothers B and C die each having adopted sons, J and K. The family proceed to partition. The property is to be divided into three shares of which J and K are each to receive one. The remaining share is to be divided into three shares of which E and F are each to receive one. The share still remaining is to be divided into three shares of which G, H and I are each to receive one. J and K each receive $\frac{1}{3}$d of the estate; E and F each $\frac{1}{9}$th; and G, H and I each $\frac{1}{27}$th (II. 312, 313).

೨೪೮. ಪುತ್ರರಿಲ್ಲದೇ ಗತಿಸಿದ ಸೋದರನ ಹೆಂಡತಿ ಬಸುರಾಗಿರುವಾಗ ವಿಭಾಗ ನಡೆಯಬೇಕಾದ ಪಕ್ಷಕ್ಕೆ ಹುಟ್ಟತಕ್ಕ ಮಗನಿಗೋಸ್ಕರ ಒಂದು ಭಾಗ ತೆಗೆದಿಡತಕ್ಕದ್ದು. (೧. ೨೦೩); ಮಿತಾಕ್ಷರ ೧. ೬. ೧೧). ತರುವಾಯ ಹುಟ್ಟಿದಮಕ್ಕಳು.

೨೪೯. ಒಬ್ಬ ಸಮಾಂಶವನು ವಿಭಾಗಿಸಿಕೊಳ್ಳುವಾಗ ಸ್ವಲ್ಪ ಅಂಗೀಕರಿಸಿ ತನ್ನ ಸ್ವತ್ವವನ್ನು ಬಿಡಬಹುದು. ಇದು ಯಾವಾಗಲಾಗಲಿ ದಾವೇ ತರುವದಕ್ಕೆ ಪ್ರತಿಬಂಧಕವಾಗುತ್ತದೆ (೧. ೨೦೩). ಭಾಗವನ್ನು ಬಿಡುವಿಕೆ.

೨೫೦. ಸೋದರರು ಭಾಗಿಸಿಕೊಳ್ಳುವದರಲ್ಲಿ ಸಂಭವಿಸುವ ನ್ಯೂನಾಧಿಕತೆಗಳಿಗೆ ಉದಾಹರಣೆ ಈ ಕೆಳಗೆ ತಿಳಿಸಲ್ಪಡುತದೆ. ಭಾಗವೈಷಮ್ಯ.

೧ನೇದು.—A, B, C ಯೆಂಬ ಮುವ್ವರು ಸಹೋದರರು. A ಯೆಂಬವನು D, E, F ಯೆಂಬ ಮುವ್ವರು ಮಕ್ಕಳನ್ನು ಪಡೆದು ಕಾಲವಾದನು. ಇವರುಗಳಲ್ಲಿ D ಯೆಂಬವನು G, H, I ಯೆಂಬ ಮುವ್ವರು ಮಕ್ಕಳನ್ನು ಪಡೆದು ಗತಿಸಿದನು. B, C ಯೆಂಬ ಮೊದಲನೇ ಸೋದರರು J, K ಯೆಂಬವರನ್ನು ತಲಾ ಒಬ್ಬೊಬ್ಬನನ್ನಾಗಿ ಸ್ವೀಕಾರಮಾಡಿಕೊಂಡು ಕಾಲವಾದರು. ಹೀಗಿರುವಲ್ಲಿ ಆ ಕುಟುಂಬದವರು ಭಾಗಮಾಡಿಕೊಳ್ಳುವದಕ್ಕೆ ಪ್ರವರ್ತಿಸಿದರು. ಆ ದ್ರವ್ಯವನ್ನು ಮೂರುಭಾಗಮಾಡಿ J, K ಯೆಂಬವರಿಗೆ ತಲಾ ಒಂದೊಂದುಭಾಗ ಕೊಡತಕ್ಕದ್ದು. ಉಳಿದ ಒಂದು ಭಾಗವನ್ನು ಮೂರು ಭಾಗಮಾಡಿ E, F ಯೆಂಬವರಿಗೆ ತಲಾ ಒಂದೊಂದುಭಾಗ ಕೊಡಬೇಕು. ಮಿಕ್ಕ ಭಾಗವನ್ನು ಮೂರು ಪಾಲುಮಾಡಿ G, H, I ಯೆಂಬವರಿಗೆ ಒಂದೊಂದುಭಾಗ ಕೊಡಬೇಕು. ಫಲಿತಾರ್ಥವೇನಂದರೆ—J, K ಯೆಂಬವರಿಗೆ ತಲಾ ಮೂರನೇ ಅಂಶವನ್ನು ಸಮುದಾಯದ್ರವ್ಯದಲ್ಲಿ ಕೊಡಬೇಕು. E, F ಯೆಂಬವರಿಗೆ ತಲಾ ಒಂಬತ್ತನೆಯ ಭಾಗ ಕೊಡಬೇಕು. G, H, I ಯೆಂಬವರಿಗೆ ತಲಾ ಇಪ್ಪತ್ತೇಳನೆಯ ಭಾಗ ಕೊಡಬೇಕು. (೨. ೩೧೨, ೩೧೩).

(2) A, B and C are brothers. A demises leaving a son D who claims and receives his father's $\frac{1}{3}$d share of the property. B demises without issue. His share vests in the surviving undivided brother C. The divided nephew D has no claim thereon (Pundit of late Zillah Court of Ganjam 8th February 1806). Had D not divided off previously to the death of B he would have had half of the lapsed share together with his father's share, on coming to division with C.

Daughters.

261. Daughters can divide property descending to them in equal shares, as sons (Pundit of late Provl. Ct. S. D. 10th September 1817).

Alteration by partition of line of succession.

262. Partition among brothers will alter the line of succession; but not so among daughters (Macnaughten Senr. 55). For example, on failure of male issue of a brother who has divided off the right of the female relatives, namely of the widow or the daughters, is brought in. Partition among daughters has no such effect since on the lapse of one cosharer, if married her share vests in her own line; if unmarried in her brothers &c. (Mitacshara II. XI.. 12 and 30).

Mode of effecting partition.

263. Partition may be made by means of arbitrators, by private adjustment, or casting lots (I. 190). Failing any amicable arrangement the remedy is a suit to enforce division.

ಎನ್ಕೇನು.—A, B, C ಯೆಂಬವರು ಸೋದರರು. A ಯೆಂಬವನು D ಯೆಂಬ ಮಗನನ್ನು ಪಡೆದು ಗತಿಸಿದನು. D ಯೆಂಬವನು ತನ್ನ ತಂದೆಗೆ ಬರತಕ್ಕ ಸ್ವತ್ತಿನ ಮೂರನೆಯ ಭಾಗವನ್ನು ಕೇಳಿ ತೆಗದುಕೊಂಡನು. ಆ ತರುವಾಯ B ಯೆಂಬವನು ಸಂತತಿಯಿಲ್ಲದೆ ಗತಿಸಿದನು. ಅವನ ಭಾಗವು ಜೀವಿತನಾಗಿ ಅವಿಭಕ್ತನಾದ C ಯೆಂಬವನಿಗೆ ಸೇರಿತು. ವಿಭಕ್ತನಾದ D ಯೆಂಬ ಜ್ಞಾತಿಗೆ ಅದರಮೇಲೆ ದಾವೆ ಯಿಲ್ಲದೆ ಹೋಯಿತು. (ಗಂಜಾಂ. ಡಿ. ಕೋ. ಪಂ. ೧೮೦೬ ಫಿಬ್ರವರಿ ೮) D ಯೆಂಬವನು B ಯೆಂಬವನ ಮರಣಕ್ಕೆ ಮುಂಚೆ ವಿಭಕ್ತನಾಗದೇ ಯಿದ್ದು ತರುವಾಯ C ಯೆಂಬವನೊಡನೆ ವಿಭಾಗ ಮಾಡಿಕೊಂಡ ಪಕ್ಷಕ್ಕೆ ತನ್ನ ತಂದೆಯ ಭಾಗದೊಡನೆ ಗತಿಸಿದವನ ಅರ್ಧಭಾಗ ಹೊಂದಿಯಿರುವದು.

೨೬೧. ಸಮಾಂಶಕೆಯರಾದ ಹೆಣ್ಣುಮಕ್ಕಳು ತಮಗೆ ಬಂದ ದ್ರವ್ಯವನ್ನು ಗಂಡುಮಕ್ಕಳಂತೆಯೇ ಭಾಗಿಸಿಕೊಳ್ಳಬಹುದು. (ದ. ಖಂ. ಪ್ರೊ. ಕೋ. ಪಂ. ೧೮೧೭ ಸೆಪ್ಟಂಬರ್ ೧೦). ಹೆಣ್ಣು ಮಕ್ಕಳು.

೨೬೨. ಸೋದರರಿಗೆ ಬಂದ ವಿಭಕ್ತದ್ರವ್ಯವು ತಮ್ಮ ವಂಶಪರೆಯಿಂದ ತಪ್ಪಿ ಹೋಗುವದೇಹೊರತು ಹೆಣ್ಣು ಮಕ್ಕಳಿಗೆ ಅಮೇರೆ ತಪ್ಪದು. (ದೊಡ್ಡಮೆಕ್ನಾಟನ್ ೫೫) ಇದಕ್ಕೆ ಉದಾಹರಣ. ಮಕ್ಕಳಿಲ್ಲದ ಅವಿಭಕ್ತಸೋದರನ ದ್ರವ್ಯವು ಅವನ ಹೆಂಡತಿಗಾಗಲಿ ಮಗಳಿಗಾಗಲಿ ಸೇರುವದು. ಹೆಣ್ಣುಮಕ್ಕಳಲ್ಲಿ ವಿಭಾಗವೀಮೇರೆ ಆಗಲಾರದು. ಮದುವೆಯಾಗಿ ಗತಿಸಿದ ಸಮಾಂಶಕೆಯಾದವಳ ದ್ರವ್ಯವು ಅವಳ ಪರಂಪರೆಯವರಿಗೆ ಸೇರುವದು. ಮದುವೆಯಿಲ್ಲದವಳ ಸ್ವತ್ತು ಅವಳ ಸೋದರರು ಮುಂತಾದವರಿಗೆ ಸೇರುವದು. (ಮಿತಾಕ್ಷರ ೨. ೧೧. ೧೨, ೩೦). ವಿಭಕ್ತದ್ರವ್ಯವು ತನ್ನ ವಂಶ ಪರಂಪರೆಯ ದಿಸೆಯಿಂದ ತಪ್ಪಿ ಹೋಗುವಿಕೆ.

೨೬೩. ಪಂಚಾಯತಿಯವರಿಂದಾಗಲಿ, ಪರಸ್ಪರ ಸಮ್ಮತಿಯಿಂದಾಗಲಿ, ಲಾಟ್ಸ್ ಯೆಂಬ ಚೀಟುಗಳು ಹಾಕುವದರಿಂದಾಗಲಿ ವಿಭಾಗ ಮಾಡಿಕೊಳ್ಳಬಹುದು. (೧. ೧೯೦) ಇಂತಾ ವಿಚಿತವಾದ ಯಾವವ್ಯವಸ್ಥೆಯೂ ಅನುಕೂಲಿಸದ ಪಕ್ಷಕ್ಕೆ ವ್ಯವಹಾರದಿಂದಲೇ ಭಾಗವು ಸಿದ್ಧಿಸಬೇಕು. ವಿಭಾಗಸಿದ್ಧಿಯ ಕ್ರಮ.

Statute of limitation.

264. The statute of limitation will run against such suit from the time that division may have been demanded and refused. Otherwise the right to a division subsists for any period of time (Decree of S. U. in A. 11 of 1815).

Provision for charges on estate.

265. In making partition debts and other charges on the property are to be provided for (I. 191, 192). This may be done by division o, the liabilities among the coheirs (II. 283 C) or by special allotment of property to meet the demand, as when provision of maintenance is in question.

Remedy in case of dissipation by coheir.

266. A coheir who may have been guilty of profuse expenditure, or who may have dissipated the property by unauthorized alienations, is to have his share diminished by the amount wasted or alienated by him; but should this exceed the value of his share the surplus is not to be made matter of debt against him (I. 224, 225).

—in case of concealment by coheir.

267. One guilty of concealing any portion of the common property with the view of defrauding his coheirs of their share therein, upon division forfeits his right in such portion (Mitacshara I. IX. 4, 5).

Division of further effects discovered.

268. A partition once made cannot ordinarily be opened. Where however further effects are discovered which were not embraced in the division made, these may be subsequently divided (I. 230, 231).

Redistribution of shares.

269. Whenever from any cause not understood at the time the division may prove to have been unequal or defective, re-distribution of the shares may be made (I. 232). This however would be

కాలావధి.

౨౬౪. విభాగవన్ను కేళి నిరాకరిసల్పట్టవను అదు మొదలు వ్యవహారద కాలావధియొళగె దావె హూడదే హోదపక్షక్కె అవన దాయ భాగ స్వత్వవు నశిసువదు. భాగ కేళదే యిద్దపక్షక్కె యావాగ్యూ నశిసలారదు. (స. అ. ౧౮౧౫ అ. నం. ౧౧౪ల్లు ఫైసల్).

ఆస్తియల్లి ఖర్చుగళ వ్యవస్థె

౨౬౫. విభాగకాలదల్లి సాలక్కూ యితర ఖర్చుగళిగూ ఆస్తియొళగేనే వ్యవస్థె ఆగబేకు. (౧౦. ౯౧, ౯౨) ఈ సాల వెచ్చగళన్ను సమాంశకరు హంచికొళ్ళబహుదు (౨. ౨౮౩ కొ) అథవా, బేకాదపక్షదల్లి జీవనక్కె భాగ యేర్పాడు మాడిదహాగె సాలవెచ్చగళిగె భాగ తెగదిడ తక్కద్దు.

సమాంశకనింద బందనష్టక్కె పరిహారవు.

౨౬౬. ఆస్తియల్లి అతివ్యయవాగలి అనియుక్తవాద వినియోగవాగలి మాడిద సమాంశకను ఆ నష్టాంశవన్ను వజామాడి భాగ తెగదుకొళ్ళ తక్కవను. ఆ నష్టవు అవన భాగక్కె మీరియిద్దపక్షక్కె అదర బాకీగాగి అవర మేలె వ్యవహార తరకూడదు (౧. ౨౨౪, ౨౨౫).

సమాంశకను బైచిట్ట ద్రవ్యక్కె--

౨౬౭. ఒబ్బ సమాంశకను మిక్కవరన్ను మోసగొళిసబేకెందు ఆస్తియల్లి యెష్టుమట్టిగాగలి బైచిట్టరె అష్టుమట్టిగె తన్న భాగదల్లి నష్టవన్ను ఒప్పికొళ్ళ తక్కద్దు (మితాక్షర ౧. ౯. ౪, ౫).

విభాగకె బారదే హొరగాద స్వత్తిన విభాగ.

౨౬౮. ఒందుసల మాడిద విభాగ సాధారణవాగి కెడలారదు. ఆదరె విభాగక్కె బారదె హొరగాదపక్షక్కె అదు కూడ తరువాయ భాగిసికొళ్ళబహుదు (౧. ౨౩౦, ౨౩౧)

మరళి విభాగ.

౨౬౯. విభాగకాలదల్లి కారణ తిళియదె భాగగళు హెచ్చుకడమెయాదపక్షక్కె పునశ్చ విభాగిసికొళ్ళబహుదు. (౧. ౨౩౨) ఈ కెలస సమాంశకర పరస్పర సమ్మతిమే

dependent upon mutual consent of the coheirs, unless fraud may have been manifested when the Courts would give a remedy.

Augmentation of common stock and fresh acquisitions.

270. No extra share is allowed to a coheir because of augmentation or improvement made by him of the common stock (I. 213). But should he by aid of the common stock have made any distinct acquisition he is entitled to a double share in the property so acquired (I. 220 ; decree of S. U. in A. 7 of 1814) ; and this right is kept open for his male issue.

Property lost to family and recovered.

271. Where landed property lost to the family may be recovered by a coheir without aid from the family resources and made available to the family, the recoverer is entitled to a fourth of such property, as a special remuneration, and the remainder is divisible among himself and the other coheirs (Mitacshara I. IV. 3).

Partial division.

272. There may be a partial divison of the property and the residue reserved for future division (I. 195).

Reunion after partition.

273. Parceners may reunite after partition, and there may afterwards be an entirely new partition (I. 233). Such reunion is however only permissible between a father and his sons, between brothers, and between a paternal uncle and his nephews (Mitacshara II. XI. 3).

Property not subject to partition.

274. The following descriptions of property, besides self acquired property, are not subject to partition.

ತೆ ನಡೆಯತಕ್ಕದ್ದು. ಮೋಸ ನಡಿಸಿದಪಕ್ಷಕ್ಕೆ ಕೋರ್ಟಿನವರದನ್ನು ಪರಿಹರಿಸುವರು.

ಸಮುದಾಯ ಸ್ವತ್ತಿನ ವೃದ್ಧಿ ಮತ್ತು ಹೊಸದಾಗಿ ಸಂಪಾದಿಸಿದ್ದು.

೨೩೦. ಸಮುದಾಯದ್ರವ್ಯವನ್ನು ವೃದ್ಧಿಪಡಿಸಿದ ಸಮಾಂಶಕನಿಗೆ ಅಬಗ್ಯೆ ಹೆಚ್ಚಾಗಿ ಭಾಗ ಸಲ್ಲಲಾರದು. ಆದರೆ (೧. ೨೧೩) ಸಮುದಾಯದ್ರವ್ಯದ ಸಾಹಾಯ್ಯವಿಲ್ಲದೆ ಪ್ರತ್ಯೇಕವಾಗಿ ಸಂಪಾದಿಸಿದ ದ್ರವ್ಯದಲ್ಲಿಮಾತ್ರ ಯೆರಡಂಶಗಳು ಅವನಿಗೆಸಲ್ಲುವವು (೧. ೨೨೦; ಸ. ಅ. ೧೮೧೪ ಅ. ನಂ. ೩೪ ರಲ್ಲು ಫೈಸಲ್) ಈ ಹಕ್ಕುದಾರಿ ಅವನ ಪುತ್ರಸಂತತಿಯವರಿಗೂವುಂಟು.

ಕುಟುಂಬದ ನಷ್ಟದ್ರವ್ಯ ಪುನಃ ಸಂಪಾದಿಸುವಿಕೆ.

೨೩೧. ನಷ್ಟವಾಗಿದ್ದ ಕುಟುಂಬದ ಭೂಸ್ಥಿತಿಯನ್ನು ಕುಟುಂಬದ್ರವ್ಯದ ಸಾಹಾಯ್ಯವಿಲ್ಲದೆ ಉದ್ಧರಿಸಿ ಅದು ಕುಟುಂಬಕ್ಕೆ ಉಪಯೋಗಿಸುವಂತೆ ಮಾಡಿದ ಸಮಾಂಶಕನಿಗೆ ಆ ದ್ರವ್ಯದಲ್ಲಿ ವಿಶೇಷವಾಗಿ ನಾಲ್ಕನೆಯಭಾಗ ಸೇರತಕ್ಕದ್ದು. ಮಿಕ್ಕದ್ದನ್ನು ಯಿತರ ಸಮಾಂಶಕರೂ ಅವನೂ ಭಾಗಿಸಿಕೊಳ್ಳಬೇಕು. (ಮಿತಾಕ್ಷರ ೧. ೪. ೩).

ಕೆಲವುಭಾಗ ವಿಭಾಗಿಸಿ ಕೊಳ್ಳುವಿಕೆ.

೨೩೨. ಆಸ್ತಿಯಲ್ಲಿ ಕೆಲವಂಶವನ್ನು ಭಾಗಿಸಿಕೊಂಡು ಉಳಿದದ್ದನ್ನು ತರುವಾಯ ಭಾಗಿಸಿಕೊಳ್ಳುವದಕ್ಕೋಸ್ಕರ ನಿಲ್ಲಿಸಿ ಯಿಡಬಹುದು. (೧. ೧೯೫).

ವಿಭಾಗಾನಂತರ ಸಂಸೃಷ್ಟಿ.

೨೩೩. ವಿಭಾಗವಾದಮೇಲೆ ಭಾಗಸ್ಥರು ಸಂಸೃಷ್ಟರಾಗಿ ಯಿರಬಹುದು. ತರುವಾಯ ಹೊಸದಾಗಿಯೇ ವಿಭಾಗ ಮಾಡಿಕೊಳ್ಳಬಹುದು. (೧. ೨೩೩). ಹೀಗೆ ಸಂಸೃಷ್ಟರಾಗಿರುವಿಕೆ ತಂದೆಮಕ್ಕಳಲ್ಲಿಯೂ, ಅಂಣತಮ್ಮಂದರಲ್ಲಿಯೂ, ಚಿಕ್ಕಪ್ಪ ದೊಡ್ಡಪ್ಪಂದರಮಕ್ಕಳು ಅಂಣತಂಮದರಮಕ್ಕಳಲ್ಲಿ ಮಾತ್ರ ನಡೆಯಬಹುದಾಗಿರುತ್ತದೆ. (ಮಿತಾಕ್ಷರ ೨. ೧೧. ೩).

ವಿಭಾಗಕ್ಕೆ ವಿಷಯವಲ್ಲದ ಸ್ವತ್ತು.

೨೩೪. ಸ್ವಾರ್ಜಿತದ್ರವ್ಯವಿನಾ ಯೀ ಕೆಳಗೆ ವಿವರಿಸಲ್ಪಡುವ ದ್ರವ್ಯಗಳು ವಿಭಾಗಕ್ಕೆ ವಿಷಯವಲ್ಲವು.

(1). Lands endowed for religious purposes, and all things destined to religious uses (I. 208, 210).

(2). Regalities and ancient zemindaries which have vested in the eldest son (I. 198, 208 ; Decree of S. U. in A. 20. of 1846).

(3). Land specially granted to maintain the rank and dignity of a family (Decree of S. U. in A. 5. of 1850).

(4). Zemindaries held under grant from the Government and renewed to the eldest son (Decree of S. U. in A. 11 of 1816).

(5). Self acquired property created by a father while divided from his sons, should there be sons born after the division, this vesting in the latter (I. 182, 183).

(6). Nuptial gifts received by a man with his wife, even although coming out of the joint property (I. 215, 216).

(7). Clothes and jewels habitually worn, and which belong exclusively to the wearer (I. 211).

(8). Dues attached to the office of Curnum notwithstanding that the office itself may be ancestral (I. 209).

Certain sorts of what is divisible.

275. While however lands endowed for religious purposes are not divisible, the management thereof may be so (I. 210).

276. Also while regalities and ancient zemindaries vesting in the eldest son are not divisible the personal property of the kind or zemindar

(౧.) ధర్మార్థ బిడల్పట్ట భూమిగళు, మత్తు ధర్మా
ర్థ మీసలిడిసల్పట్ట సమస్తవస్తుగళు. (౧. ౨౦౮, ౨౧౦).

(౨.) జ్యేష్ఠపుత్రనిగె లభిసిద రాజ్యవూ ప్రాచీనగళా
ద జమీనుగళు. (౧. ౧౯౮, ౨౦౮; స. అ. ౧౮౪౬ అ. నం.
౨౦రల్లి ఫైసల్).

(౩.) కుటుంబద సన్మానసూచకవూ గౌరవ
సూచకవూ, కొడల్పట్టభూమి. (స. అ. ౧౮౫౦ అ.
నం. ౫రల్లి ఫైసల్).

(౪.) గవర్నమెంటినవర శాసనద చెసియింద లభిసి
హొసదాగి జ్యేష్ఠపుత్రనహెసరిగె కూడిద జమీను. (స.
అ. ౧౮౧౬ అ. నం. ౧౧రల్లి ఫైసల్).

(౫.) మక్కళొడనె విభాగక్కె తరువాయ హుట్టిద
పుత్రరిగే తందెయ స్వార్జిత సేరువదు. (౧. ౧౮౨,
౧౮౩).

(౬.) సముదాయ ద్రవ్యదల్లాదాగ్యూ హెండతియొడనె
గ్రహిసిద వరశే ద్రవ్య. (౧. ౨౧౫, ౨౧౬).

(౭.) వాడికెయాగి ధరిసువ స్వంతవొడవె బట్టెగళు.
(౧. ౨౧౧).

(౮.) శానభోగికె పిత్రార్జితవాదాగ్యూ అదరస్వ
త్వవు. (౧. ౨౦౯).

భాగయోగ్యవాద కెలవు విషయగళు.

౨౭౫. ధర్మార్థ కొడల్పట్ట భూమిగళు విభాగిస
తక్కవల్లవాదాగ్యూ అదర విచారణె కెలస విభాగిసతక్క
ద్దాగిరబహుదు. (౧. ౨౧౦).

౨౭౬. జ్యేష్ఠపుత్రనిగె లభిసిద రాజ్యగళూ, ప్రాచీ
నగళాద జమీనగళూ విభాగిసతక్కవల్లవాదాగ్యూ అర
సిన అథవా జమీనదారన జంగమద్రవ్యవు విభాగిసతక్క

is so (II. 329, 330, E; Decrees of S. U. in A. 11 of 1816 and 64 of 1848).

277. Jaghires, shrotriums, and dues arising from religious offices are divisible (I. 210)

278. An annuity descending to the sons of the annuitant is divisible (I. 209).

Written deeds of division recommended.

279. In order to prevent disputation and to protect the interests of the respective sharers there should be written instruments of divsion interchanged between the parties coming to division.

280. These should contain specification of the items forming the share of each member, and be attested by kinsmen, or at the least by neighbours (I. 222, 223).

281. Such instruments, however, though desirable, are not indispensable (I. 222).

What constitutes division

282. The mere execution of deeds of division will not constitute a family a divided one. It is requisite in order to be viewed as divided that the parties should have actually entered upon their respective shares (Decrees of S. U. in A. 6 and 8 of 1838; 10 of 1852; 58 and 86 of 1854).

283. Partition of the produce without partition of the land does not make a family a divided one (Pundit of late Zillah Court of Nellore, 8th October 1824).

ದ್ದು. (೨. ೩೨೯, ೩೩೦ಎ; ಸ. ಅ. ೧೮೧೬ ಅ. ನಂ. ೧೧ರಲ್ಲಿ ೧೮೪೮ ಅ. ನಂ. ೬೪ರಲ್ಲಿ ಫ್ಯಿಸಲ್).

೨೨೭. ಜಹಗೀರ್ ಗಳು, ಶ್ರೋತ್ರಿಯಗಳು, ಪಾಳೋಚಿಕ್ಯ ವಗೈರೆ ಸಾಶಕಾರ್ಯಗಳಿಗೆ ಬರತಕ್ಕ ರುಸುಂ ವಿಭಾಗಿಸಿಕೊಳ್ಳ ತಕ್ಕದು. (೧. ೨೧೦).

೨೨೮. ತಂದೆಯ ವರ್ಷಾಶನವು ಮಗನಿಗೆ ವಿಭಾಗಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದಾಗಿರುತದೆ. (೧. ೨೦೯).

೨೨೯. ಭಾಗಸ್ಥರು ತಮ್ಮ ತಮ್ಮ ಲಾಭಗಳನ್ನು ರಕ್ಷಿಸಿಕೊಳ್ಳತಕ್ಕಬಗ್ಯೆ ವಿವಾದಬಾರದೇ ಯಿರುವದಕ್ಕೋಸ್ಕರ ವೊಬ್ಬರ ದೆಸೆಯಿಂದೊಬ್ಬರು ಭಾಗಪತ್ರಿಕೆಗಳು ಹುಟ್ಟಿಸಿಕೊಳ್ಳಬೇಕು. ಲಿಖಿತ ಮೂಲಕವಾದ ವಿಭಾಗ ಯುಕ್ತವಾದ್ದು.

೨೩೦. ಈ ಭಾಗಪತ್ರಿಕೆಗಳಲ್ಲಿ ಅವನವನ ಭಾಗಕ್ಕೆ ಬಂದವು ಯಿಂತಿಂತಾ ವಸ್ತುಗಳೆಂದು ಯೇರ್ಪಾಡಾಗಿರಬೇಕು. ಜ್ಞಾತಿಗಳಾಗಲಿ ಕಡೆಗೆ ಅನ್ಯರಾಗಲಿ ಸಾಕ್ಷಿ ರುಜು ಮಾಡಿ ಯಿರಬೇಕು. (೧. ೨೨೨, ೨೨೩).

೨೩೧. ಇಂತಾ ಸಾಧನಗಳು ಬೇಕಾದವಾದಾಗ್ಯೂ ಯಿವು ಬಹಳ ಜರೂರಾದವು ಬೇರೇ ಅಲ್ಲವು. (೧. ೨೨೨).

೨೩೨. ಕುಟುಂಬಗಳಲ್ಲಿ ವಿಭಾಗ ವುಂಟಾಯಿತೆಂಬದಕ್ಕೆ ಗುರುತು ಭಾಗಸ್ಥರಿಗೆ ಅವರವರ ಭಾಗ ಸಂದಿರಬೇಕು. ವಿಭಾಗಪತ್ರಮಾತ್ರ ಉಂಟಾಗುವದರಿಂದ ವಿಭಕ್ತಕುಟುಂಬವಾಗಲಾರದು. (ಸ. ಅ. ೧೮೩೮ ಅ. ನಂ. ೬, ೮ ರಲ್ಲೂ; ೧೮೫೨ ಅ. ನಂ. ೧೦ ರಲ್ಲೂ; ೧೮೫೪ ಅ. ನಂ. ೫೮, ೮೬ರಲ್ಲು ಫ್ಯಿಸಲ್). ಭಾಗ ಯೇರ್ಪಾಡಾಗತಕ್ಕ ವಿಷಯ.

೨೩೩ ಜಮೀನು ಭಾಗವಿಲ್ಲದೆ ಪೈರಾದ್ದನ್ನು ಮಾತ್ರ ಹಂಚಿಕೊಳ್ಳುವದರಿಂದ ವಿಭಕ್ತ ಕುಟುಂಬವನ್ನಕೂಡದು. (ನೆಲ್ಲೂರು ಜಿ. ಕೊ. ಪಂ. ೧೮೨೪ ಅಕ್ಟೋಬರ್ ೮).

284. A party suing for division and dying while the suit is pending is held to be still undivided. His widow consequently is not entitled to demand his share (Decree of S. U. in A. 86 of 1854.

285. A decree declaring a party entitled to a share in family property not having been carried into effect before the demise of the party, he is considered to have demised as an undivided member (Decree of S. U. in A. 68 of 1855).

286. Where there may have been a partial division of the property and some has been left to remain in common for a time for the sake of convenience, the parties are to be considered divided, and the widow of a member demising may claim her husband's share in the said reserved portion (S. U. Pundits, 19th April 1855).

Presumption in favor of union.

287. Where the fact of division is disputed the presumption is that the family are united until the contrary be proved, the natural condition of a Hindoo family being that of union (I. 225).

Circumstances indicative of division.

288. In the absence of direct proof of division the fact of division has to be judged of on inferential grounds. These are difficult of application.

289. A family may be separated as to residence, meals, and ceremonies, and yet remain united in interest. And they may have divided in intrest and yet continue to live and eat together and to perform their rites in common (I. 225. 226.)

೩೮೪. ಭಾಗಕ್ಕೋಸ್ಕರ ದಾವಾಮಾಡಿ ವ್ಯಾಜ್ಯನಡಿಯುತ್ತಿರುವಾಗ್ಯೇಮೃತನಾದರೆ ಅವನುಅವಿಭಕ್ತನೆಂತಲೇ ಯೆಣಿಸಬೇಕು. ಆದ್ದರಿಂದ ಅವನಭಾರ್ಯೆಗೆ ಅವನಭಾಗವನ್ನು ಕೇಳುವದಕ್ಕೆ ಅಧಿಕಾರವಿಲ್ಲವು. (ಸ. ಅ. ೧೮೫೪ ಅ. ನಂ. ೮೬ರಲ್ಲುಫೈಸಲ್).

೩೮೫. ಕುಟುಂಬದ್ರವ್ಯದಲ್ಲಿ ಭಾಗದ ಹಕ್ಕನ್ನು ಪಡೆಯುವದಕ್ಕೆ ಅರ್ಜಿನೆಂಚು ಫೈಸಲ್ ಹೊಂದಿದವನು ಫೈಸಲ್ ಪ್ರಕಾರ ವಿಭಾಗಿಸಿಕೊಳ್ಳುವದಕ್ಕೆ ಪೂರ್ವವೇಗತಿಸಿದರೆ ಅಂತವನು ಅವಿಭಕ್ತನೆಂತಲೇ ಯೆಣಿಸಬೇಕು. (ಸ. ಅ. ೧೮೫೫ ಅ. ನಂ. ೬೮ ರಲ್ಲು ಫೈಸಲ್).

೩೮೬. ಸಮುದಾಯದ್ರವ್ಯದಲ್ಲಿ ಕೆಲವಂಶವನ್ನು ಭಾಗಿಸಿಕೊಂಡು ಮಿಕ್ಕಅಂಶವನ್ನು ಕೆಲವುಕಾಲಪರ್ಯಂತ ಅನುಕೂಲಕ್ಕೋಸ್ಕರ ಸಮುದಾಯವಾಗಿರಿಸಿಕೊಂಡಿದ್ದ ಭಾಗಸ್ಥರು ವಿಭಕ್ತರೆಂದು ಯೆಣಿಸಲ್ಪಡುವರು. ಭಾಗಸ್ಥರಪೈಕಿ ಗತಿಸಿದವನ ಹೆಂಡತಿ ಸದರೀ ಉಳಿದಿರುವ ಅಂಶದಲ್ಲಿ ತನ್ನಗಂಡನಿಗೆ ಬರತಕ್ಕದ್ದನ್ನು ಕೇಳಬಹುದು. (ಸ. ಅ. ಪಂ. ೧೮೫೫ ಯೇಪ್ರಿಲ್ ೧೯).

೩೮೭. ಹಿಂದುಗಳಲ್ಲಿ ಕುಟುಂಬದವರು ಕೂಡಿ ವಾಸಮಾಡುವದು ಸ್ವಾಭಾವಿಕವಾದ್ದರಿಂದ ವಿಭಾಗವು ವಿವಾದಗ್ರಸ್ತವಾದಪಕ್ಷಕ್ಕೆ ಕುಟುಂಬದವರು ವಿಭಕ್ತರಾದರೆಂಬದು ರುಜುವಾಗುವವರಿಗೆ ವಿಭಾಗವಾಗಲಿಲ್ಲವೆಂತಲೇ ಯೆಣಿಸಬೇಕು. (೧. ೨೨೫). ವಿಭಕ್ತರೆಂದೂಹಿಸುವಿಕೆ.

೩೮೮. ವಿಭಾಗವಾದ್ದಕ್ಕೆ ಪ್ರತ್ಯಕ್ಷವಾದ ರುಜುವಾತ್ ಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಅದು ಊಹಿಸಲ್ಪಟ್ಟ ಕಾರಣಗಳಮೇಲೆಯೇ ತಿಳಿಯತಕ್ಕದ್ದು. ಹೇಗೆ ನಿರ್ಣಯಿಸುವದು ಪ್ರಯಾಸ. ವಿಭಾಗವಾಯಿತೆಂದು ತೋರಿಸುವ ಲಕ್ಷಣಗಳು.

೩೮೯. ಕುಟುಂಬದವರು ನಿವಾಸ ಭೋಜನ ಶುಭಾಶುಭ ಕೃತ್ಯಗಳಲ್ಲಿ ಬೇರೆಯಾಗಿದ್ದಾಗ್ಯೂ ಸ್ವತ್ತಿನವಿಷಯದಲ್ಲಿ ಅವಿಭಕ್ತರಾಗಿರಬಹುದು. ಅವರು ಸ್ವತ್ತಿನವಿಷಯದಲ್ಲಿ ವಿಭಕ್ತರಾಗಿದ್ದಾಗ್ಯೂ ಸದರೀ ನಿವಾಸಭೋಜನ ಶುಭಾಶುಭ ಕೃತ್ಯಗಳನ್ನು ಕೂಡಿ ಮಾಡಬಹುದು. (೧. ೨೨೫, ೨೨೬).

290. The performance of separate religious acts; the dressing food separately; the occurren ce of mutual loans, sales, purchases and other contracts between the member of the family; the becoming sureties for one another; the giving evidence for or against each other in regard to property; the understanding of neigbours that they are separated; and the delivery to the members of village dues separately, are circumstances serving to show that divisions has taken place (I. 227.)

291. The religious acts the separate performance of which is indicative of division must be such as concern the family jointly, not such as rest with a member individually to undertake or not at his pleasure. The circumstance however is not of a conclusive nature (I. 227, 228). The family rites are the Sradha, Vyswadawum, and worship of the family deity. The individual rites are the stated oblations at morning, noon, evening, the Brahma Yajnum, worship of the plants, sacrifice to fire &c.

292. The joint performance of obsequies does not suffice to prove the parties undivided in the face of positive evidence to the contrary (II- 391, 392. C and E).

293. The instances, above specified one and all, are but evidence. The concurrence of all however, to constitute proof, is not requisite (I. 228).

294. The instance most to be relied on is the taking food separately prepared while the parties are residing in the same house. This too is but a circumstance and susceptible of being explained away (I. 228, 229; II. 397. C).

೨೯೦. ವೈಶ್ವದೇವಾದಿಕರ್ಮಗಳಲ್ಲಿ ಬೇರೆಯಾಗಿರುವಿಕೆ; ಬೇರೆಬೇರೆ ಅಡಿಗೆಮಾಡಿಕೊಳ್ಳುವಿಕೆ; ಸಾಲ,ಕ್ರಯ,ವಿಕ್ರಯ,ಯಿತರವೊಡಂಬಡಿಕೆಗಳು, ಯಿವುಗಳನ್ನು ಪರಸ್ಪರನಡಸುವಿಕೆ; ಒಬ್ಬನಿಗೊಬ್ಬನು ಜಾಮೀನಾಗುವಿಕೆ; ಸ್ವತ್ತಿನವಿಷಯದಲ್ಲಿ ವೊಬ್ಬನಿಗೊಬ್ಬನುಅನುಕೂಲವಾಗಿಯಾಗಲಿ ಪ್ರತಿಕೂಲವಾಗಿಯಾಗಲಿ ಸಾಕ್ಷ್ಯಹೇಳುವಿಕೆ; ವಿಭಕ್ತರೆಂದುನೆರೆಹೊರೆಯವರಿಗೆ ತಿಳಿದಿರುವಿಕೆ; ಗ್ರಾಮದ ಕುಟ್ಟಿವಳಿ ಪ್ರತ್ಯೇಕಪ್ರತ್ಯೇಕವಾಗಿಸಲ್ಲುವಿಕೆ; ಇವುವಿಭಾಗವಾಯಿತೆಂದು ತೋರಿಸುವ ಲಕ್ಷಣಗಳಾಗಿರುತವೆ. (೧.೨೨೨).

೨೯೧. ವಿಭಾಗವನ್ನು ತಿಳಿಸುವ ಕರ್ಮಗಳು ಕುಟುಂಬಸಮುದಾಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದವುಗಳಾಗಿರಬೇಕಲ್ಲದೆ ಅವನವನು ತನ್ನಯಿಷ್ಟಬಂದಂತೆ ಮಾಡಿಕೊಳ್ಳುವ ಪೃಥಕ್ ಕರ್ಮಗಳು ಹಾಗೆಆಗಲಾರವು. ಆದಾಗ್ಯೂ ಸಮುದಾಯಕರ್ಮದಲ್ಲಿ ಬೇರೆಯಾಗದೇಯಿರುವದರಿಂದಲೇ ಅವಿಭಕ್ತಲಕ್ಷಣ ಮುಗಿದಷ್ಟಲ್ಲವು. (೧. ೨೨೨, ೨೨೮). ಶ್ರಾದ್ಧ ವೈಶ್ವದೇವ, ಗೃಹದೇವತಾರ್ಚನೆಗಳು ಕುಟುಂಬಸಮುದಾಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಕೃತ್ಯಗಳು. ಪ್ರಾತಃಕಾಲ, ಮಧ್ಯಾಹ್ನ, ಸಾಯಂಕಾಲಗಳಲ್ಲಿಮಾಡುವಕರ್ಮಗಳು, ಬ್ರಹ್ಮಯಜ್ಞ, ನವಗ್ರಹಪೂಜೆ, ಔಪಾಸನ, ಮುಂತಾದವು ಪೃಥಕ್ಕರ್ಮಗಳು.

೨೯೨. ವಿಭಕ್ತರೆಂಬದಕ್ಕೆ ದೃಢವಾದ ರುಜುವಿರುವಲ್ಲಿ ಅಪರ ಕ್ರಿಯೆಗಳು ಸಮುದಾಯದವರು ಕೂಡಿ ಮಾಡಿದಮಾತ್ರದಲ್ಲಿ ವಿಭಕ್ತರಲ್ಲವೆಂದು ಹೇಳಕೂಡದು. (೨. ೩೯೧, ೩೯೨ ಕೊ, ಎ).

೨೯೩. ಮೇಲೆ ಹೇಳಲ್ಪಟ್ಟ ಲಕ್ಷಣಗಳೆಲ್ಲವೂ ದೃಷ್ಟಾಂತವೇ ಹೊರತು ರುಜುವಾಗತಕ್ಕ ಬಗ್ಯೆ ಯಿವುಗಳೆಲ್ಲವೂ ಯಿರಬೇಕೆಂಬ ಜರೂರಿಲ್ಲವು. (೧. ೨೨೮).

೨೯೪. ಭಾಗಸ್ಥರುವೊಂದೇಮನೆಯಲ್ಲಿ ವಾಸಮಾಡುತ್ತಾಬೇರೆಬೇರೆ ಅಡಿಗೇಮಾಡಿ ಭೋಜನಮಾಡುವದು, ವಿಭಕ್ತರಾದ್ದಕ್ಕೆ ಮುಖ್ಯಲಕ್ಷಣವೆಂದುನಂಬತಕ್ಕದ್ದು. ಇದುಕೂಡ ಬೇರೆಕಾರಣದಿಂದಪರಿಹರಿಸಲ್ಪಡಬಹುದು. (೧. ೨೨೮, ೨೨೯ ;೨.೩೯೨.ಕೊ).

CHAP. XI.

SUCCESSION.

What opens out the inheritance.

295. Death, retirement from the world as a devotee, and long absence unheard of leading to presumption of death, open out the inheritance to the heirs (I. 122).

296. Loss of caste operated in the same way (I. 122), but the British legislature have abolished this as a cause to deprive an individual of his property (Act XXI of 1850).

Period of absence raising presumption of death.

297. The period of absence without tidings which is accounted sufficient to raise presumption of the death of the person absent varies according to the age of the absentee. If he be from 30 to 35 years he is held to be dead if unheard of after the lapse of 20 years; if from 40 to 45 after 15 years; and if from 60 to 65 after 12 years (II. 237, 238. C).

Right of inheritance connected with performance of funeral rites.

298. The right to inherit is connected with the benefits supposed to be conferred on the deceased by obsequial offerings. Those who are in relationship to him to make such offerings are in the line of his heirs. Those who are not so are excluded therefrom (Elberling 67).

೧೧. ಪ್ರಕರಣ.

ದಾಯಾಧಿಕಾರ.

ದಾಯವಿಭಾಗಕ್ಕೆ ಉಪಕ್ರಮ.

೨೯೫. ಒಬ್ಬನು ಮೃತನಾಗಲಿ, ಸನ್ಯಾಸಿಯಾಗಲಿ ಯಿರುವ ಸ್ಥಳ ತಿಳಿಯದೆ ಗತಿಸಿದನೆಂದೂಹಿಸಬಹುದಾದ ಹಾಗೆ ಬಹುಕಾಲ ಕಾಣದೆಯಾಗಲಿ ಹೋದಪಕ್ಷಕ್ಕೆ ಮಿಕ್ಕ ದಾಯಾದಿಗಳು ದಾಯವನ್ನು ತಾಗಿಸಿಕೊಳ್ಳಬಹುದು. (೧. ೧೨೨).

೨೯೬. ಜಾತಿಭ್ರಂಶವೂ ಅಂತಹದ್ದೇ (೧. ೧೨೨). ಆದಾಗ್ಯೂ ಒಬ್ಬನು ತನ್ನ ಸ್ವತ್ತನ್ನು ಕಳಕೊಳ್ಳುವದಕ್ಕೆ ಕಾರಣವಾದ ಯೀ ವಿಧಿಯನ್ನು ಬ್ರಿಟಿಷ್ ನ್ಯಾಯವಿಧಾಯಕರು ಮಾಕೂಫ್ ಮಾಡಿದ್ದಾರೆ. (೧೮೫೦ ಆಕ್ಟು ೨೧).

ಮರಣಸಂಭಾವನೆಯನ್ನು ಹುಟ್ಟಿಸುವ ಕಾಲಪರಿಮಿತಿ.

೨೯೭. ಕಾಣದೇ ಹೋದವನು ಸತ್ತು ಹೋದನೆಂದೂಹಿಸುವದಕ್ಕೆ ಸಾಕಾದ ಅವನ ಸಂಗತಿ ಗೊತ್ತಿಲ್ಲದೆ ಕಾಣದೇ ಹೋದ ಕಾಲದ ಪರಿಮಿತಿ ಅವನ ವಯಸ್ಸಿನಪ್ರಕಾರ ಭಿನ್ನಿಸುತದೆ. ೩೦ ಮೊದಲು ೩೫ ಸಂವತ್ಸರಗಳ ವಯಸ್ಸುಳ್ಳವನು ಹಾಗೆ ಕಾಣದೇ ಹೋಗಿ ತರುವಾಯ ೨೦ ವರುಷಗಳು ಕಳದ ಮೇಲೆ ಅವನಸಂಗತಿ ತಿಳಿಯಬಾರದಪಕ್ಷಕ್ಕೆ ಮೃತನೆಂತಲೇ ಭಾವಿಸತಕ್ಕದ್ದು; ೪೦ ಮೊದಲು ೪೫ ವರುಷಗಳ ವಯಸ್ಸಿನವನು ೧೫ ಸಂವತ್ಸರಗಳ ತರುವಾಯವೂ; ೬೦ ಮೊದಲು ೬೫ ವರುಷಗಳ ವಯಸ್ಸಿನವನು ೧೨ ಸಂವತ್ಸರಗಳ ತರುವಾಯವೂ ಆಮೇಲೆ ಸಂತಾಪಿಸಲ್ಪಡುವನು. (೨. ೨೩೭, ೨೩೮. ಕೊ.)

ಅಪರಕ್ರಿಯಾಕರ್ತೃತ್ವದಿಂದ ಬರುವ ದಾಯಾಧಿಕಾರ.

೨೯೮. ಗತಿಸಿದವನಿಗೆ ಅಪರ ಕ್ರಿಯೆಗಳನ್ನು ಮಾಡುವವರಿಗೆ ಅವನ ದಾಯದಲ್ಲಿ ಸ್ವತ್ವ ವುಂಟಾಗುವದು. ಅವನಿಗೆ ಸ್ವಬಂಧುಗಳಲ್ಲಿ ಅಪರ ಕ್ರಿಯೆಗಳನ್ನು ಮಾಡುವದಕ್ಕೆ ಅರ್ಹರಾದವರೇ ವಾರಸ್‌ದಾರರು. ಹಾಗೆ ಅಲ್ಲದವರು ವಾರಸ್‌ದಾರರಾಗಲಾರರು. (ಎಲ್‌ಬರ್ಲಿಂಗ್ ೬೩).

299. The performance of the funeral rites by an individual not in propinquity of relationship to the deceased to qualify him for the act will not confer on him the right to inherit (I. 129. 130).

300. Female relatives to a very limited extent may offer funeral oblations. They do so in person or by proxy.

Posthumous son can succeed.

301. It is not necessary that the heir should have been actually born when the inheritance falls in. It is sufficient that he should have been begotten and afterwards born with vitality (Elberling 40).

Different grades of heirs.

302. There are three grades of heirs, namely the *Sapindas*, the *Samanodacas*, and the *Bundhus*. The term *Sapinda* is derived from *Pinda*, the funeral rice ball or cake, and it is discriptive of those who participate in offering it to the deceased. These offer also oblations of water. The term *Samanodaca* is derived from *Oodaca*, water. It is descriptive of a remoter grade of relatives who do not offer the rice balls but the water only. *Bundhu* signifies cognate kindred lying beyend the *Samanodacas* (Mitacshara II. v. 6 ; II. vi). These as such, make no offerings. On failure however of *Sapindas* the *Samanodacas* make offering of the *Pinda*, or rice ball, as do the *Bundhus* on failure of *Sapindas* and *Samanodacas*.

303. The *Sapindas* are in two grades, the nearer who offer and partake of the rice ball entire, and the remoter who offor of merely the wipings of the hands. The *Samanodacas* are also in two grades, but there is no distinction between them as to the offerings they make (Menuvurtha Mooktavalee on Menu V. 60).

೧೯೯. ಸಮೀಪಬಾಂಧವ್ಯದಿಂದುಂಟಾಗುವ ಅರ್ಹತೆಯಿಲ್ಲದವನು ಗಳಿಸಿದವನಿಗೆ ಮಾಡುವ ಅಪರ ಕ್ರಿಯೆಗಳಿಂದವನಿಗೆ ದಾಯದಲ್ಲಿ ಸ್ವತ್ವ ಬರಲಾರದು. (೧. ೧೯೯. ೧೨೦).

೨೦೦. ಬಂಧುಗಳಾದ ಸ್ತ್ರೀಗಳು ಕೆಲವರುಮಾತ್ರ ಅಪರ ಕ್ರಿಯೆಗಳನ್ನು ತಾವೇಯಾಗಲಿ, ಅನ್ಯಮುಖವಾಗಿಯಾಗಲಿ ಮಾಡಬಹುದು.

೨೦೧. ದಾಯಾಧಿಕಾರ ಸಿದ್ಧಿಗೆ ದಾಯಾಧಿಕಾರಿ ಹುಟ್ಟಿಯಿರಬೇಕೆಂದು ಆವಶ್ಯಕವಿಲ್ಲವು. ಅವನು ಗರ್ಭಗತನಾಗಿದ್ದು ತರುವಾಯ ಸಜೀವನಾಗಿ ಹುಟ್ಟಿದರೆ ಸಾಕು. (ಎಲ್ಬರ್ ಲಿಂಗ್. ೮೦).

ಗಂಡಿ ಹೋದಶೀಲೆ ಹುಟ್ಟಿದ ಪುತ್ರನಿಗೆ ದಾಯಸಿದ್ಧಿ

೨೦೨. ಸಪಿಂಡರೆಂತಲೂ, ಸಮಾನೋದಕರೆಂತಲೂ, ಬಂಧುಗಳೆಂತಲೂ ದಾಯಾದಿಗಳು ಮೂರುಬಗೆಯವರಾಗಿರುತ್ತಾರೆ. ಪಿಂಡಶಬ್ದ ನಿಷ್ಪನ್ನವಾದ ಸಪಿಂಡಶಬ್ದವು ಗಳಿಸಿದವರಿಗೆ ಅನ್ನಪಿಂಡವನ್ನಾಗಲಿ ಅಪೂಪವನ್ನಾಗಲಿ ಉದಕಸಹಿತವಾಗಿ ದಾನಮಾಡತಕ್ಕವರನ್ನು ತಿಳಿಸುತ್ತದೆ. ಉದಕಶಬ್ದದಿಂದಾದ ಸಮಾನೋದಕಶಬ್ದವು ಪಿಂಡವಿಲ್ಲದೆ ಉದಕವನ್ನು ಮಾತ್ರ ದಾನಮಾಡತಕ್ಕ ದೂರಬಂಧುಗಳನ್ನು ತಿಳಿಸುತ್ತದೆ. ಮಿಕ್ಕ ಜ್ಞಾತಿಗಳು ಬಂಧುಗಳೆನ್ನಲ್ಪಡುತ್ತಾರೆ. (ಮಿತಾಕ್ಷರ ೨. ೫. ೬, ೨. ೬) ಇವರು ಪಿಂಡೋದಕದಾನ ಮಾಡುವದಿಲ್ಲ. ಸಪಿಂಡರಿಲ್ಲದಿದ್ದರೆ ಸಮಾನೋದಕರು ಪಿಂಡದಾನಮಾಡುವರು. ಅವರಿಬ್ಬರೂ ಯಿಲ್ಲದ ಪಕ್ಷಕ್ಕೆ ಬಂಧುಗಳು ಮಾಡುವರು.

ದಾಯಾಧಿಕಾರಿಗಳ ನಾನಾತರಗಳು.

೨೦೩. ಸಪಿಂಡರೆರಡುಬಗೆಯವರು. ಪಿಂಡಗಳದಾನ ಗ್ರಹಣ ಸಂಬಂಧವುಳ್ಳವರು ಸಮೀಪ ಸಪಿಂಡರು. ಕೈಗಳಿಗೆ ಹತ್ತಿದ ಪಿಂಡಲೇಪದಾನ ಗ್ರಹಣಸಬಂಧ ವುಳ್ಳವರು ದೂರ ಸಪಿಂಡರು. ಸಮಾನೋದಕರು ಸಹ ಯೆರಡುಬಗೆಯವರಾದಾಗ್ಯೂ ಅವರ ಉದಕಪ್ರದಾನದಲ್ಲಿ ಭೇದವಿಲ್ಲವು. (ಮನ್ವರ್ಥಮುಕ್ತಾವಳಿಯಲ್ಲಿ ಮನು. ೫. ೬೦).

Limit of Sapindas.

304. The *Sapindas* extend to the sixth male in direct descent from the person to be traced from, and the sixth male in direct ascent, and the direct male descendants of these latter to the sixth degree. The brothers, it will be observed, and their male descendants to the fifth degree, come in thus as the descendants of the father, or the first in direct ascent. The wife, daughters and daughters' sons, the mother and the paternal grandmother are also embraced among the *Sapindas* (Saraswatee Vilasa; Varada Rajeyum; Smruti Mooktha Phalum), but the female line extends no further. The remotest embraced in the line of *Sapindas* is the great great great great grandson of the great great great great grandfather.

—of nearer Sapindas.

305. The nearer *Sapindas* aro the three in direct descent from the person to be traced from, and the three in ascent above him, and their descendants to the second degree (Smruti Chandricka). Also the wife, daughtrs, daughtrs' sons, mother and paternal grandmother (Smruit Mooktha Phalum). The limit is the grandson of the great grandfather. The rest are the remoter *Sapindas*.

—of Samanodacas.

306. The *Samanodacas* extend to the sixth male below and the sixth above the male *Sapindas*, and the direct male descendants of the latter six to the sixth degree (Mitacshara II. V. 6; Smruti Mooktha Phalum).

Participation in funeral offerings.

307. The collaterals in the above list are brought in on the principle that they have some common ancestor with the person to be traced from, to whom they as well as he offer oblations, this constituting participation in offering.

ಸಪಿಂಡರ ಅವಧಿ.

೨೦೪. ಒಬ್ಬನಿಗೆ ತರುವಾಯ ಆರನೇತರದಪರ್ಯಂತ ಪುತ್ರಪರಂಪರೆಯವರೂ, ಪೂರ್ವ ಆರನೇ ತರದಪರ್ಯಂತ ಪಿತೃಪರಂಪರೆಯವರೂ, ಅವರ ಪಿತೃಪರಂಪರೆಯ ಆರನೇ ತರದಪರ್ಯಂತ ಪುತ್ರರೂ ಸಪಿಂಡರೆನ್ನಲ್ಪಡುತ್ತಾರೆ. ಸಹೋದರರೂ ಅವರ ಅಯಿದನೆಯ ತರದಪರ್ಯಂತ ಪುತ್ರಪರಂಪರೆಯವರೂ ಮೂಲಪುರುಷನಾದ ತಂದೆಗೆ ಸಂತತಿಯವರಾಗುವರು. ಭಾರ್ಯೆ, ಪುತ್ರಿಕೆಯರು, ದೌಹಿತ್ರರು, ತಾಯಿ, ಪಿತಾಮಹಿಯು, ಸಪಿಂಡವರ್ಗದವರು. (ಸರಸ್ವತೀವಿಲಾಸ; ವರದರಾಜೀಯ; ಸ್ಮೃತಿಮುಕ್ತಾಫಲ). ಇವರಿಗಿಂತ ಸ್ತ್ರೀವರ್ಗದಲ್ಲಿ ಬೇರೆಸಪಿಂಡರಿಲ್ಲ. ಸಪಿಂಡವರ್ಗದಲ್ಲಿ ಕಡೇ ಸಪಿಂಡನು ಪುತ್ರ ಪೌತ್ರ ಪ್ರಪೌತ್ರನು (ಅಂದರೆ ಮೂರನೆಯತರದವನು).

ಸಮೀಪ ಸಪಿಂಡರು.

೨೦೫. ಒಬ್ಬ ಪುರುಷನಿಗೆ ತರುವಾಯ ಮೂರುತರದವರೂ, ಪೂರ್ವ ಮೂರುತರದವರೂ, ಮೊದಲನೇಸಲ ಹೇಳಿದ ಮೂರುತರಗಳವರ ಮೊದಲನೇ ತರದಪರ್ಯಂತ ಸಂತತಿಯವರೂ ಸಮೀಪಸಪಿಂಡರು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆ) ಭಾರ್ಯೆ, ಪುತ್ರಿಕೆಯರು, ದೌಹಿತ್ರರು, ತಾಯಿ, ಪಿತಾಮಹಿ, ಇವರುಗಳೂ ಸಮೀಪ ಸಪಿಂಡವರ್ಗದವರು. (ಸ್ಮೃತಿಮುಕ್ತಾಫಲ) ಪುರುಷನಿಗೆ ಪ್ರಪೌತ್ರನವರಿಗೆ ಸಮೀಪಸಪಿಂಡರು, ಮಿಕ್ಕವರು ದೂರಸಪಿಂಡರು.

ಸಮಾನೋದಕರು.

೨೦೬. ಸಪಿಂಡರಾದ ಪುರುಷರಿಗೆ ತರುವಾಯದ ಆರುತರಗಳ ಪುರುಷರೂ, ಪೂರ್ವ ಆರುತರಗಳ ಪುರುಷರೂ ಇವರತರುವಾಯ ಆರುತರಗಳ ಪುರುಷರೂ ಸಮಾನೋದಕರು. (ಮಿತಾಕ್ಷರ ೨. ೫. ೬; ಸ್ಮೃತಿಚಂದ್ರಿಕೆ; ಸ್ಮೃತಿಮುಕ್ತಾಫಲ).

ಕೂಡಿ ಪಿಂಡೋದಕದಾನ ಮಾಡುವಿಕೆ.

೨೦೭. ಪೂರ್ವ ಹೇಳಲ್ಪಟ್ಟ ವರ್ಗದೊಳಗಣ ಪಾರ್ವಣ ದಾಯಾದಿಗಳೆಲ್ಲ ಕರ್ಮಕರ್ತನೊಡನೆ ಕೂಡಿ ತಮಗೆಲ್ಲರಿಗೂ ಸಾಮಾನ್ಯವಾಗಿ ಮೂಲಭೂತನಾದ ಒಬ್ಬಾನೊಬ್ಬ ಪುರುಷನಿಗೆ ಪಿತೃಕರ್ಮವನ್ನು ಮಾಡುವರಾದ್ದರಿಂದ ಇವರಿಷ್ಟುಮಂದಿಯೆಂದು ಮೇಲೆ ವಿವರಿಸಿದೆವು. ಹೀಗೆ ಮಾಡುವ ಪಿತೃಕರ್ಮವೇ ಕೂಡಿ ಪಿಂಡೋದಕದಾನ ಮಾಡುವಿಕೆ ಯೆನ್ನಲ್ಪಡುತ್ತದೆ.

Bundhus.

308. The *Bundhus* are of three kinds ; namely such as are in parallel grade to the individual himself, who are the sons of his father's sister, the sons of his mother's sister, and the sons of his maternal uncle ; such as are parallel to his father, who are the sons of his father's paternal aunt, the sons of his father's maternal annt, and the sons of his father's materanl uncle ; and such as are parallel to his mother, who are the sons of her paternal aunt, the sons of her paternal aunt, and the sons of her paternal uncle. These stand relatively to each other as above arranged (Mitacshara II. VI).

Order of descent.

309. Property vesting in a person individually descends first to his nearer *Sapindas*, in the following order—

Sons.
Sons' sons.
Sons' grandsons.
Wife.
Daughters.
Daughters' sons.
Mother.
Father.
Brothers.
Brothers' sons.
Paternal grandmother.
Paternal grandfather.
Paternal grandfather's sons (i. e. the uncles).
Paternal grand father's son's sons (i. e. the cousins).
Paternel great grandfather.
His sons,
and sons' sons.

೩೦೮. ಬಂಧುಗಳು ಮೂರುತೆರದವರಾಗಿ ಯಿರುತ್ತಾರೆ. ಹ್ಯಾಗಂದರೆ—ತಂದೆಯೊಡಹುಟ್ಟಿದಾತೆಯ ಮಕ್ಕಳು, ತಾಯಿಯೊಡಹುಟ್ಟಿದಾತೆಯಮಕ್ಕಳು, ಸೋದರಮಾವನಮಕ್ಕಳು, ಯಿವರುಗಳು ತನಗೆ ಸಮಾನತೆರದವರು. ತಂದೆಗೆ ಸಮಾನತೆರದವರ್ಯಾರಂದರೆ, ಅವನತಂದೆಯೊಡಹುಟ್ಟಿದಾತೆ ತಾಯಿ ಯೊಡಹುಟ್ಟಿದಾತೆ ಸೋದರಮಾವ ಯಿವರಮಕ್ಕಳು; ತಾಯಿಗೆ ಸಮಾನತೆರದವರು, ಆಕೆಯ ತಂದೆತಾಯಿಗಳೊಡಹುಟ್ಟಿದವರ ಮಕ್ಕಳು, ಸೋದರಮಾವನಮಕ್ಕಳು ಯಿವರುಗಳು ಮೇಲೆಹೇಳಲ್ಪಟ್ಟಪ್ರಕಾರ ಪರಸ್ಪರ ಸಂಬಂಧವುಳ್ಳವರಾಗಿರುತ್ತಾರೆ. (ಮಿತಾಕ್ಷರ.ಅ.೬). ಬಂಧುಗಳು.

೩೦೯. ಒಬ್ಬ ಪುರುಷನ ದ್ರವ್ಯವು ಈ ಕೆಳಗೆ ವಿವರಿಸಲ್ಪಡುವಪ್ರಕಾರ ಮೊದಲು ಸಮೀಪಸಪಿಂಡರನ್ನು ಹೊಂದುವದು. ದಾಯಾಧಿಕಾರದ ಅನುಪೂರ್ವ.

ಮಕ್ಕಳು.
ಮಮ್ಮಕ್ಕಳು.
ಮರಿಮಕ್ಕಳು.
ಹೆಂಡತಿ.
ಹೆಣ್ಣುಮಕ್ಕಳು.
ದೌಹಿತ್ರರು.
ತಾಯಿ.
ತಂದೆ.
ಸಹೋದರರು.
ಸಹೋದರರ ಮಕ್ಕಳು.
ಪಿತಾಮಹಿ.
ಪಿತಾಮಹನು.
ಪಿತಾಮಹನ ಪುತ್ರರು (ಅಂದರೆ ತಂದೆಯ ಅಣ್ಣತಮ್ಮಂದಿರು.)
ಪಿತಾಮಹನಪೌತ್ರರು (ಅಂದರೆ ಜ್ಞಾತಿಗಳು).
ಪ್ರಪಿತಾಮಹನು.
ಅವನಪುತ್ರರು.
ಅವನ ಪೌತ್ರರು.

The other ascending *Sapindas*, and their sons and sons' sons in the like order.

After this the remoter *Sapindas* come in, each in their order; and then the *Samanodacas* in their order; and lastly the *Bundhus* in theirs.

310. It will be observed that the above is the order according to which each class of relatives takes direct from the person to be traced from. It is not an order according to which each succeeds to the other. On the property coming to an individual the descent would begin afresh in his line. For example should the inheritance devolve on a brother's son in default of nearer relatives his heir would not be the paternal grandmother of the person from whom the property came. It would descend primarily to the new inheritor's male issue, and so onwards. And should it devolve on a female relative, for instance on a daugter, it would go on from her according to the rule of descent in the female line to be hereafter explained.

Sons.

311. Where the sons may have divided from their father and received their portions they nevertheless succeed to their father's remaining property as first in descent (I. 183).

312. Should there however be sons born after the partition these succeed to the father's share to the exclusion of the divided sons (I. 182).

313. Sons inherit equally, and not by representation according to their mothers (I. 205). This rule applies to all castes without distinction (Decree of S. U. in A. 20 of 1846).

ಹಿಂದಿನತರದವರಾದ ಯಿತರ ಸಪಿಂಡರೂ ಅವರ ಪುತ್ರಪೌತ್ರರೂ ಮೇಲೆ ಹೇಳಲ್ಪಟ್ಟ ಕ್ರಮಪ್ರಕಾರ ದಾಯಾರ್ಹರು.

ಇವರಿಗೆ ತರುವಾಯ ದೂರಸಪಿಂಡರು ತಮ್ಮತಮ್ಮ ತರಗಳ ಪ್ರಕಾರ ದಾಯಾಧಿಕಾರಿಗಳಾಗುತ್ತಾರೆ; ಹಾಗೆಯೇ ತರುವಾಯ ಸಮಾನೋದಕರೂ ಕಡೆಗೆ ಬಂಧುಗಳು ದಾಯಾರ್ಹರಾಗುವರು.

೩೧೦. ಮೇಲೆ ಹೇಳಲ್ಪಟ್ಟ ಕ್ರಮಪ್ರಕಾರ ಆಯಾತರದವರು ಮೂಲಪುರುಷನ ದೆಸೆಯಿಂದ ಸಾಕ್ಷಾತ್ತಾಗಿ ಸ್ವತ್ತಿನ ಬಾಧ್ಯತೆಯನ್ನು ಹೊಂದುತ್ತಾರಲ್ಲದೆ ಪರಸ್ಪರ ಬಾಧ್ಯರಾಗುವದಿಲ್ಲ. ಒಬ್ಬನಿಗೆ ಸ್ವತ್ತು ಬರುವಲ್ಲಿ ಅವರ ಬಾಧ್ಯತೆಯ ಪಾರಂಪರ್ಯ ಅವನ ಸಂತತಿಯಲ್ಲಿಯೇ ಆರಂಭಿಸುವದು. ಇದಕ್ಕುದಾಹರಣ. ಪುತ್ರಾದಿ ಸಮೀಪಬಂಧುಗಳಿಲ್ಲದವನ ಸ್ವತ್ತು ಅವನ ಸಹೋದರಪುತ್ರನಿಗೆ ಬಂದರೆ ಅದು ಪ್ರಥಮತಃ ಅವನ ಪುತ್ರಪರಂಪರೆಗೆ ಹೋಗುವದೇ ಹೊರತು ಮೊದಲನೆಯವನ ಪಿತಾಮಹನಿಗೆ ಬರಲಾರದು. ಮತ್ತು ಮಗಳಿಗಾಗಲಿ ಮತ್ಯಾವ ನೆಂಟಳಿಗಾಗಲಿ ದ್ರವ್ಯ ಬಂದರೆ ಅದು ಯಾ ಕೆಳಗೆ ತಿಳಿಸಲ್ಪಡುವ ಪಾರಂಪರ್ಯದ ವಿಧಿ ಪ್ರಕಾರ ಅವಳ ಸ್ತ್ರೀಪರಂಪರೆಗೆ ಬರುವದು.

೩೧೧. ಪುತ್ರರು ತಂದೆಯೊಡನೆ ವಿಭಾಗ ಮಾಡಿಕೊಂಡು ತಮ್ಮ ತಮ್ಮ ಭಾಗಗಳನ್ನು ಹೊಂದಿದಾಗ್ಯೂ ಯಿವರು ವಂಶದಲ್ಲಿ ಮೊದಲನೆಯವರಾದ್ದರಿಂದ ತಂದೆಯ ಉಳಿದ ಸ್ವತ್ತಿಗೆ ಯಿವರೇ ಅಧಿಕಾರಿಗಳಾಗುತ್ತಾರೆ. (೧. ೧೮೩).

೩೧೨. ವಿಭಾಗವಾದ ತರುವಾಯ ಪುತ್ರರು ಹುಟ್ಟಿದರೆ ವಿಭಕ್ತಪುತ್ರರುವಿನಾ ಅವರೇ ತಂದೆಯ ಭಾಗಕ್ಕೆ ಬಾಧ್ಯರಾಗುತ್ತಾರೆ. (೧. ೧೮೨).

೩೧೩. ಪುತ್ರರೆಲ್ಲರಿಗೂ ಭಾಗ ಸಮಾನವೇ ಹೊರತು ತಾಯಿ ಸಂಖ್ಯೆಯನ್ನು ಅವಲಂಬಿಸಿ ವಿಭಾಗ ಹೆಚ್ಚುಕಡಮೆಯಾಗಲಾರದು. (೧. ೨೦೫). ಈ ವಿಧಿ ಯೆಲ್ಲಜಾತಿಯರಿಗೂ ಸಮ. (ಸ. ಅ. ೧೮೮೬ ಅ. ನಂ ೨೦ರಲ್ಲು ಫೈಸಲ್).

314. She claim of primogeniture does not now exist (I. 133), saving that regalities and certain ancient zemindaries vest in the eldest son (decree of S. U. in A 20 of 1846).

Grandsons and great grandsons.

315. Grandsons and great grandsons participate according to the shares of their respective fathers (I. 207).

Great great grandsons.

316. A grandson whose father is dead and a great grandson whose father and grandfather are dead at the time the property falls in, inherit at once with any existing son (II. 253. Sricrishna).

317. Should the son, grandson, and great granson be dead at the time the property falls in, and a great great grandson be left, he will not succeed (save as a remoter *Sapinda*). The inheritance will pass on to the deceased's widow. But should the great grandson have survived and inherit the great great grandson would come in (direct) as his son (I, 125).

Right of absentees kept open.

318. Where however the death of the owner is presumed from his long absence unheard of, and his descendants also are absent and unheard of, any of them up to the sixth from him on appearing will be entitled to inherit as of the male issue taking precedence of the widow (I. 125, 132). That is the inheritance is kept open to the remotest *Sapinda* in this branch on the presumption that an intermediate descendant may have survived to transmit it to him.

೨೧೪. ಈ ಕಾಲದಲ್ಲಿ ಜ್ಯೇಷ್ಠಪುತ್ರನಿಗೆ ಹೆಚ್ಚುಭಾಗ ಸಲ್ಲುವದಿಲ್ಲ. (೧. ೧೩೩). ಆದರೆ ರಾಜ್ಯಾಧಿಪತ್ಯವೂ ಕೆಲವು ಪುರಾತನ ಜಮೀನ್ದಾರಿಗಳೂ ಜ್ಯೇಷ್ಠಪುತ್ರನಿಗೆ ಬರುವವು. (ಸ. ಅ. ೧೮೪೬ ಅ. ನಂ. ೨೦ರಲ್ಲು ಫೈಸಲ್).

ಪೌತ್ರಪ್ರಪೌತ್ರರು.

೨೧೫. ಪೌತ್ರಪ್ರಪೌತ್ರರು ತಮ್ಮತಮ್ಮ ತಂದೆಗಳ ಭಾಗಾನುಗುಣವಾಗಿ ಭಾಗವನ್ನು ಹೊಂದುವರು. (೧. ೨೦೭).

೨೧೬. ತಂದೆಹೋದ ಪೌತ್ರನೂ, ತಂದೆತಾತಂದರುಹೋದ ಪ್ರಪೌತ್ರನೂ, ವಿಭಾಗ ಮಾಡಿಕೊಳ್ಳುವಲ್ಲಿ ಜೀವಿಸಿಯಿರುವ ಯಾವಪುತ್ರನೊಂದಿಗಾಗಲಿ ವಿಭಾಗಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. (೨. ೨೪೩; ಶ್ರೀಕೃಷ್ಣ).

೨೧೭. ಸ್ವತ್ತು ವಿಭಾಗವಾಗುವ ಕಾಲದಲ್ಲಿ ಪುತ್ರ ಪೌತ್ರ ಪ್ರಪೌತ್ರರು ಗತಿಸಿ ಹೋಗಿಯಿದ್ದು ಪ್ರಪೌತ್ರ ಪುತ್ರನು ಯಿದ್ದರೆ ಯಿವನಿಗೆ ಬಾಧ್ಯತೆ ವುಂಟಾಗಲಾರದು. ಪರಂತು ದೂರ ಸಪಿಂಡತೆಯ ದೆಸೆಯಿಂದ ಬಾಧ್ಯತೆ ವುಂಟಾಗುವದು. ದಾಯವು ಸತ್ತುಹೋದವನ ಭಾರ್ಯೆಗೆ ಬರುವದು. ಆದರೆ ಪ್ರಪೌತ್ರನು ಜೀವಿಸಿಯಿದ್ದು ದಾಯವನ್ನು ಹೊಂದಿದರೆ ಅದು ಅವನ ಪುತ್ರನಿಗೇ ಸೇರುವದು. (೧. ೧೨೫).

ಕಾಣದೇ ಹೋದವನ ದಾಯಸ್ವತ್ವವು ಉಳಿದಿರುವಿಕೆ.

೨೧೮. ಒಬ್ಬನು ಯಿರುವ ಸಮಾಚಾರ ತಿಳಿಯದೆ ಬಹುಕಾಲ ಕಾಣದೇಹೋಗಿ ಸತ್ತುಹೋದನೆಂದೂಹಿಸಲ್ಪಟ್ಟು ಅವನ ಸಂತತಿಯವರುಕೂಡ ಯಿರುವವೃತ್ತಾಂತವೇ ಯಿಲ್ಲದೇ ಕಾಣದೇಹೋಗಿ ಅವನ ಆರುತರಗಳೊಳಗೆ ಯಾವ ಸಂತತಿಯವನಾಗಲಿ ಬಂದರೆ ದಾಯಾಧಿಕಾರವು ಆ ಪಿತಂತುವಿಗಿಂತಲೂ ಮುಂದಾಗಿ ಅವನಿಗೇ ಸಲ್ಲುವದು. (೧. ೧೨೫, ೧೩೨) ಅಂದರೆ ಯೀಪರಂಪರೆಯಲ್ಲಿ ದೂರಸಪಿಂಡನಿಗೆ ಪೂರ್ವ ಯಾವನಾಗಲಿ ಸಮಯದಲ್ಲಿ ಜೀವಿಸಿಯಿದ್ದು ದಾಯವನ್ನು ಹೊಂದಿದಪಕ್ಷಕ್ಕೆ ದಾಯವು ಯಿವನಿಗೇ ಅನುಕ್ರಮವಾಗಿ ಬರುವದೆಂಬ ಸಂಭಾವನೆಯಿಂದ ಯಿವನ ದಾಯದ ಬಾಧ್ಯತೆ ಒಪ್ಪಿಕೊಳ್ಳಲ್ಪಟ್ಟಿದೆ.

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314. She claim of primogeniture does not now exist (I. 133), saving that regalities and certain ancient zemindaries vest in the eldest son (decree of S. U. in A 20 of 1846).

Grandsons and great grandsons.

315. Grandsons and great grandsons participate according to the shares of their respective fathers (I. 207).

Great great grandsons.

316. A grandson whose father is dead and a great grandson whose father and grandfather are dead at the time the property falls in, inherit at once with any existing son (II. 253. Sricrishna).

317. Should the son, grandson, and great granson be dead at the time the property falls in, and a great great grandson be left, he will not succeed (save as a remoter *Sapinda*). The inheritance will pass on to the deceased's widow. But should the great grandson have survived and inherit the great great grandson would come in (direct) as his son (I. 125).

Right of absentees kept open.

318. Where however the death of the owner is presumed from his long absence unheard of, and his descendants also are absent and unheard of, any of them up to the sixth from him on appearing will be entitled to inherit as of the male issue taking precedence of the widow (I. 125, 132). That is the inheritance is kept open to the remotest *Sapinda* in this branch on the presumption that an intermediate descendant may have survived to transmit it to him.

೩೧೪. ಈ ಕಾಲದಲ್ಲಿ ಜ್ಯೇಷ್ಠಪುತ್ರನಿಗೆ ಹೆಚ್ಚುಭಾಗ ಸಲ್ಲುವದಿಲ್ಲ. (೧. ೧೩೩). ಆದರೆ ರಾಜ್ಯಾಧಿಪತ್ಯವೂ ಕೆಲವು ಪುರಾತನ ಜಮೀನ್ದಾರಿಗಳೂ ಜ್ಯೇಷ್ಠಪುತ್ರನಿಗೆ ಬರುವದು. (ಸ. ಅ. ೧೮೭೬ ಅ. ನಂ. ೨೦ರಲ್ಲು ಫೈಸಲ್).

ಪೌತ್ರಪ್ರಪೌತ್ರರು.

೩೧೫. ಪೌತ್ರಪ್ರಪೌತ್ರರು ತಮ್ಮತಮ್ಮ ತಂದೆಗಳ ಸ್ಥಾನಾನುಗುಣವಾಗಿ ಭಾಗವನ್ನು ಹೊಂದುವರು. (೧. ೨೦೩).

೩೧೬. ತಂದೆಹೋದ ಪೌತ್ರನೂ, ತಂದೆತಾತಂದರುಹೋದ ಪ್ರಪೌತ್ರನೂ, ವಿಭಾಗ ಮಾಡಿಕೊಳ್ಳುವಲ್ಲಿ ಜೀವಿಸಿಯಿರುವ ಯಾವಪುತ್ರನೊಂದಿಗಾಗಲಿ ವಿಭಾಗಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. (೨. ೨೫೩; ಶ್ರೀಕೃಷ್ಣ).

೩೧೭. ಸ್ವತ್ತು ವಿಭಾಗವಾಗುವಕಾಲದಲ್ಲಿ ಪುತ್ರ ಪೌತ್ರ ಪ್ರಪೌತ್ರರು ಗತಿಸಿ ಹೋಗಿಯಿದ್ದು ಪ್ರಪೌತ್ರ ಪುತ್ರನು ಯಿದ್ದರೆ ಯವನಿಗೆ ಬಾಧ್ಯತೆ ವುಂಟಾಗಲಾರದು. ಪರಂತು ದೂರ ಸಪಿಂಡತೆಯ ದೆಸೆಯಿಂದ ಬಾಧ್ಯತೆ ವುಂಟಾಗುವದು. ದಾಯವು ಸತ್ತುಹೋದವನ ಭಾರ್ಯೆಗೆ ಬರುವದು. ಆದರೆ ಪ್ರಪೌತ್ರನು ಜೀವಿಸಿಯಿದ್ದು ದಾಯವನ್ನು ಹೊಂದಿದರೆ ಅದು ಅವನ ಪುತ್ರನಿಗೇ ಸೇರುವದು. (೧. ೧೨೫).

ಕಾಣದೇ ಹೋದವನ ದಾಯಸ್ವತ್ವವು ಉಳಿದಿರುವಿಕೆ.

೩೧೭. ಒಬ್ಬನು ಯಿರುವ ಸಮಾಚಾರ ತಿಳಿಯದೆ ಬಹು ಕಾಲ ಕಾಣದೇಹೋಗಿ ಸತ್ತುಹೋದನೆಂದೂಹಿಸಲ್ಪಟ್ಟು ಅವನ ಸಂತತಿಯವರುಕೂಡ ಯಿರುವವೃತ್ತಾಂತವೇ ಯಿಲ್ಲದೇ ಕಾಣದೇ ಹೋಗಿ ಅವನ ಆರುತರಗಳೊಳಗೆ ಯಾವ ಸಂತತಿಯವನಾಗಲಿ ಬಂದರೆ ದಾಯಾಧಿಕಾರವು ಆ ಪಿತಂತುವಿಗಿಂತಲೂ ಮುಂದಾಗಿ ಅವನಿಗೇ ಸಲ್ಲುವದು. (೧. ೧೨೫, ೧೩೨) ಅಂದರೆ ಯಿಾಪರಂಪರೆಯಲ್ಲಿ ದೂರಸಪಿಂಡನಿಗೆ ಪೂರ್ವ ಯಾವನಾಗಲಿ ಸಮಕ್ಷದಲ್ಲಿ ಜೀವಿಸಿಯಿದ್ದು ದಾಯವನ್ನು ಹೊಂದಿದಪಕ್ಷಕ್ಕೆ ದಾಯವು ಯಿವನಿಗೇ ಅನುಕ್ರಮವಾಗಿ ಬರುವದೆಂಬ ಸಂಭಾವನೆಯಿಂದ ಯಿವನದಾಯದ ಬಾಧ್ಯತೆ ಒಪ್ಪಿಕೊಳ್ಳಲ್ಪಟ್ಟಿದೆ.

Share of demised son.

319. The share of a son demising before the inheritance falls in, is not kept alive for his widow (II. 231, 232. C. Dorin).

Wives.

320. It has been held that where there may be a plurality of wives, the one first married succeeds to the exclusion of the others, who take after her, each in turn according to order of marriage (I. 136, 137; Decrees of S. U. in A. 5 of 1824 and 1 of 1835). This however is not the law in Southern India where the wives are viewed as on an equality and inherit jointly (Mitacshara II. i, a clause omitted between clauses 5 and 6 in Colebrooke's translation; Smruti Chandrika).

Daughters.

321. Among daughters the unmarried take first; after them the married daughters having male issue, or with probability of having it, and the widowed daughters with male issue all of which three latter classes inherit jointly (Smruti Chandrika).

322. After these the barren married, and the sonless widowed daughters succeed who also take jointly (Mitacshara II. xi. 13).

೩೧೯. ದಾಯ ವಿಭಾಗವಾಗತಕ್ಕ ಕಾಲಕ್ಕೆ ಪೂರ್ವ ಗತಿಸಿದವನ ಭಾಗವು ಅವನ ಭಾರ್ಯೆಗೆ ಬರಲಾರದು. (೨. ೨೩೧, ೨೩೨ಕೊ, ಡೋರಿ೯). ಗತಿಸಿದಪುತ್ರ ಸತಾಗಳು.

೩೨೦. ಒಬ್ಬನಿಗನೇಕಮಂದಿ ಹೆಂಡತಿಯರಿದ್ದಪಕ್ಷಕ್ಕೆ ಅವನ ದ್ರವ್ಯವು ಮುಂದಾಗಿ ಮೊದಲನೆಯ ಹೆಂಡತಿಗೆ ಬರುವದೆಂತಲೂ, ಅವಳಿಗೆ ತರುವಾಯ ಉಳಿದ ಹೆಂಡತಿಯರಿಗೆ ವಿವಾಹ ಕ್ರಮಪ್ರಕಾರ ಯಥಾಪೂರ್ವವಾಗಿ ಬರುವದೆಂತಲೂ ತೀರ್ಪು ಮಾಡಲ್ಪಟ್ಟದೆ. (೧. ೧೩೬, ೧೩೭; ಸ. ಅ. ೧೮೨೮ ಅ. ನಂ. ೫ರಲ್ಲು; ೧೮೩೫ ಅ. ನಂ ೧ರಲ್ಲು ಫೈಸಲ್ ಗಳು) ಈ ಫೈಸಲ್ ದ್ರವಿಡಾಚಾರಗಳಲ್ಲಿ ಶಾಸ್ತ್ರೀಯವಲ್ಲವಾದ್ದರಿಂದ ಭಾರ್ಯೆಯರೆಲ್ಲರೂ ಗಂಡನ ಸ್ವತ್ತನ್ನು ವಿಭಾಗಿಸಿಕೊಳ್ಳುವದರಲ್ಲಿ ಸಮಾನವಾದ ಬಾಧ್ಯತೆಯುಳ್ಳವರಾಗಿರುವರು. (ಮಿತಾಕ್ಷರ ೨. ೧. ಈ ವಚನ ಕೋಲ್ ಬ್ರೂಕ್ ಸಾಹೆಬರವರು ತರ್ಜುಮೆ ಮಾಡಿದ ಗ್ರಂಥದಲ್ಲಿ ೫ನೇವಚನಕ್ಕೂ ೬ನೇ ವಚನಕ್ಕೂ ಮಧ್ಯದಲ್ಲಿಬಿಟ್ಟುಹೋಯಿತು; ಸ್ಮೃತಿಚಂದ್ರಿಕೆ). ಭಾರ್ಯೆಯರು.

೩೨೧. ಪುತ್ರಿಕೆಯರಲ್ಲಿ ವಿವಾಹವಿಲ್ಲದವರು ಮುಂದಾಗಿ ದಾಯಹೊಂದುತ್ತಾರೆ. ತರುವಾಯ ಪುತ್ರಸಂತತಿಯುಳ್ಳವರಾಗಿಯಾಗಲಿಪುತ್ರರನ್ನು ಪಡೆಯತಕ್ಕವರಾಗಿಯಾಗಲಿಯಿರುವ ಗಂಡಉಳ್ಳ ಪುತ್ರಿಕೆಯರೂ, ಮಕ್ಕಳುಳ್ಳ ವಿತಂತುಗಳೂ ಹೊಂದುವರು. ಈ ಹಿಂದಿನ ಮೂರುವರ್ಗದವರು ಸಮಾನಸ್ವತ್ವವುಳ್ಳವರು. (ಸ್ಮೃತಿಚಂದ್ರಿಕೆ). ಪುತ್ರಿಕೆಯರು.

೩೨೨. ಇವರಿಗೆ ತರುವಾಯ ಬಂಜೆಯರಾಗಿ ಗಂಡುಳ್ಳ ಪುತ್ರಿಕೆಯರೂ, ಮಕ್ಕಳಿಲ್ಲದೆ ವಿತಂತುಗಳಾದ ಪುತ್ರಿಕೆಯರೂ ದಾಯವನ್ನು ಹೊಂದುವರು. ಇವರೂ ಸಮಾನ ಸ್ವತ್ವವುಳ್ಳವರು. (ಮಿತಾಕ್ಷರ ೨. ೧೧. ೧೩).

323. In each class the unendowed succeed before the endowed (Mitacshara II. xi. 13). What constitutes endowment such as to postpone right of inheritance in favor of the unendowed is not said, but it should obviously be a portion sufficient for maintenance.

324. Daughters in each class succeed jointly and share alike (S. U. Pundits 20th May 1852). This however it must be remembered relates to succession from the father. If succession be derived from the mothers, wnere the father may have had a plurality of wives, the daughters take by representation according to their mothers (S. U. Pundits 3rd July 1854).

Daughters' daughters.

325. In the line of the daughter's male issue the descent stops with their sons. It does not extend to the female issue (Macnaughten Senr. 6).

Daughters' sons.

336. Daughters' sons participate according to the shares of their respective mothers (I. 145); and succeed thereto to the exclusion of other daughters.

Illegitimate sons of Soodras.

327. Among Soodras on failure of daughter's son, illegitimate sons succeed (I. 132.)

Mother.

328. In the ascending line the mother takes before the father (S. U. Pundits 24th December 1838; 26th March 1847; 27th February and 27th March 1854).

329. Should the father of the person to be traced from have had other wives besides the mother of the individual, they do not inherit. The property pasees exclusively to the individuals' mother (I. 144).

೩೨೩. ಆಯಾವರ್ಗದಲ್ಲಿ ಧನವುಳ್ಳವರಿಗಿಂತಲೂ ಮುಂಚೆ ಧನವಿಲ್ಲದವರಿಗೆ ದಾಯ ಸಲ್ಲದು. (ಮಿತಾಕ್ಷರ ೨. ೧೧. ೧೩). ಇಷ್ಟು ಧನವುಳ್ಳವರಿಗೆ ದಾಯವು ಸಲ್ಲಲಾರದೆಂದು ಧನದ ಪರಿಮಿತಿ ಹೇಳಲ್ಪಡಲಿಲ್ಲವಾದಾಗ್ಯೂ ಆ ಧನವು ಕಡೆಗೆ ಸಹಜವಾಗಿ ಜೀವನಕ್ಕೆ ಸಾಕಾದಷ್ಟರದಾಗಿ ಯಿರಬೇಕು.

೩೨೪. ಆಯಾವರ್ಗದಲ್ಲಿ ಪುತ್ರಿಕೆಯರೆಲ್ಲರೂ ಸಮಾನವಾಗಿ ಭಾಗದ ಸ್ವತ್ವವುಳ್ಳವರು. (ಸ. ಅ. ಪಂ. ೧೮೫೭ ಮೇ ೨೦). ಇದು ತಂದೆಯಿಂದ ಬಂದ ದಾಯಾಧಿಕಾರವೆಂದು ತಿಳಿಯತಕ್ಕದ್ದು. ತಂದೆಗನೇಕ ಭಾರ್ಯೆಯರಿದ್ದರೆ ಪುತ್ರಿಕೆಯರು ತಮ್ಮ ತಮ್ಮ ತಾಯಿಯ ಭಾಗವನ್ನು ಹೊಂದುವರು. (ಸ. ಅ. ಪಂ ೧೮೫೪ ಜೂಲೈ ೩).

೩೨೫. ಈ ದಾಯದಬಾಧ್ಯತೆ ಪುತ್ರಿಕೆಯರ ಗಂಡುಮಕ್ಕಳ ಸಂತತಿಗೆ ಹೋಗುವದೇ ಹೊರತು ಹೆಂಣುಮಕ್ಕಳ ಸಂತತಿಗೆ ಹೋಗಲಾರದು. (ದೊಡ್ಡಮೆಕ್ನಾಟನ ೬). ಪುತ್ರಿಕೆಯರ ಹೆಂಣುಮಕ್ಕಳು.

೩೨೬. ಪುತ್ರಿಕೆಯರಪುತ್ರರು ಅವರವರ ತಾಯಿಗಳ ಭಾಗಾನುಗುಣವಾಗಿ ಭಾಗಿಸಿ ಕೊಳ್ಳತಕ್ಕವರೇ ಹೊರತು (೧. ೧೫೫); ಪುತ್ರಿಕೆಯರು ಭಾಗಿಸಿಕೊಳ್ಳತಕ್ಕವರಲ್ಲವು. ದೌಹಿತ್ರರು.

೩೨೭. ಶೂದ್ರರಲ್ಲಿ ದೌಹಿತ್ರರಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಕೂಡಿಸವಳ ಮಕ್ಕಳಿಗೆ ಸೇರುವದು. (೧. ೧೩೭). ಶೂದ್ರರಲ್ಲಿ ಯಿಟ್ಟುಕೊಂಡವರಮಕ್ಕಳು.

೩೨೮. ತಂದೆಯ ಪರಂಪರೆಯಲ್ಲಿ ತಂದೆಗೆ ಪೂರ್ವ ತಾಯಿ ಸ್ವತ್ತನ್ನು ಹೊಂದುವಳು. (ಸ. ಅ. ಪಂ. ೧೮೩೮ ಡಿಸಂಬರ್ ೨೪; ೧೮೪೭ ಮಾರ್ಚಿ ೨೬; ೧೮೫೪ ಫಿಬ್ರವರಿ ೨೭, ಮಾರ್ಚಿ ೨೭). ತಾಯಿ.

೩೨೯. ಗತಿಸಿದವನತಂದೆಗೆ ಬೇರೆ ಹೆಂಡತಿಯರಿದ್ದಪಕ್ಷಕ್ಕೆ ಸದರೀ ಗತಿಸಿದವನ ಸ್ವತ್ತು ಅವರಿಗೆ ಬರಲಾರದು. ಪರಂತು ಅವನತಾಯಿಗೇ ಬರುವದು. (೧. ೧೪೪).

323. In each class the unendowed succeed before the endowed (Mitacshara II. xi. 13). What constitutes endowment such as to postpone right of inheritance in favor of the unendowed is not said, but it should obviously be a portion sufficient for maintenance.

324. Daughters in each class succeed jointly and share alike (S. U. Pundits 20th May 1852). This however it must be remembered relates to succession from the father. If succession be derived from the mothers, wnere the father may have had a plurality of wives, the daughters take by representation according to their mothers (S. U. Pundits 3rd July 1854).

Daughters' daughters.

325. In the line of the daughter's male issue the descent stops with their sons. It does not extend to the female issue (Macnaughten Senr. 6).

Daughters' sons.

336. Daughters' sons participate according to the shares of their respective mothers (I. 145); and succeed thereto to the exclusion of other daughters.

Illegitimate sons of Soodras.

327. Among Soodras on failure of daughter's son, illegitimate sons succeed (I. 132.)

Mother.

328. In the ascending line the mother takes before the father (S. U. Pundits 24th December 1838; 26th March 1847; 27th February and 27th March 1854).

329. Should the father of the person to be traced from have had other wives besides the mother of the individual, they do not inherit. The property pasees exclusively to the individuals' mother (I. 144).

೩೨೩. ಆಯಾವರ್ಗದಲ್ಲಿ ಧನವುಳ್ಳವರಿಗಿಂತಲೂ ಮುಂದೆ ಧನವಿಲ್ಲದವರಿಗೆ ದಾಯ ಸಲ್ಲದು. (ಮಿತಾಕ್ಷರ ೨. ೧೧. ೧೩). ಇಷ್ಟು ಧನವುಳ್ಳವರಿಗೆ ದಾಯವು ಸಲ್ಲಲಾರದೆಂದು ಧನದ ಪರಿಮಿತಿ ಹೇಳಲ್ಪಡಲಿಲ್ಲವಾದಾಗ್ಯೂ ಆ ಧನವು ತನಗೆ ಸಹಜವಾಗಿ ಜೀವನಕ್ಕೆ ಸಾಕಾದಷ್ಟರದಾಗಿ ಇರಬೇಕು.

೩೨೪. ಆಯಾವರ್ಗದಲ್ಲಿ ಪುತ್ರಿಕೆಯರೆಲ್ಲರೂ ಸಮಾನವಾಗಿ ಭಾಗದ ಸ್ವತ್ವವುಳ್ಳವರು. (ಸ. ಅ. ಪಂ. ೧೮೫೨ ಮೇ ೨೦). ಇದು ತಂದೆಯಿಂದ ಬಂದ ದಾಯಾಧಿಕಾರವೆಂದು ತಿಳಿಯತಕ್ಕದ್ದು. ತಂದೆಗನೇಕಭಾರ್ಯೆಯರಿದ್ದರೆ ಪುತ್ರಿಕೆಯರು ತಮ್ಮ ತಮ್ಮ ತಾಯಿಯ ಭಾಗವನ್ನು ಹೊಂದುವರು. (ಸ. ಅ. ಪಂ ೧೮೫೪ ಜೂಲೈ ೩).

ಪುತ್ರಿಕೆಯರ ಗಂಡುಮಕ್ಕಳು.

೩೨೫. ಈ ದಾಯದಬಾಧ್ಯತೆ ಪುತ್ರಿಕೆಯರ ಗಂಡುಮಕ್ಕಳ ಸಂತತಿಗೆ ಹೋಗುವದೇ ಹೊರತು ಹೆಣ್ಣುಮಕ್ಕಳ ಸಂತತಿಗೆ ಹೋಗಲಾರದು. (ದೊಡ್ಡಮೆಕ್ನಾಟನ್ ೬).

ದೌಹಿತ್ರರು.

೩೨೬. ಪುತ್ರಿಕೆಯರಪುತ್ರರು ಅವರವರ ತಾಯಿಗಳ ಭಾಗಾನುಗುಣವಾಗಿ ಭಾಗಿಸಿ ಕೊಳ್ಳತಕ್ಕವರೇ ಹೊರತು (೧. ೧೫೫); ಪುತ್ರಿಕೆಯರು ಭಾಗಿಸಿಕೊಳ್ಳತಕ್ಕವರಲ್ಲವು.

ಶೂದ್ರರಲ್ಲಿ ಇಟ್ಟುಕೊಂಡವರಮಕ್ಕಳು.

೩೨೭. ಶೂದ್ರರಲ್ಲಿ ದಾಸಿಪುತ್ರರಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಕೂಡಿದವಳ ಮಕ್ಕಳಿಗೆ ಸೇರುವದು. (೧. ೧೩೨).

ತಾಯಿ.

೩೨೮. ತಂದೆಯ ಪರಂಪರೆಯಲ್ಲಿ ತಂದೆಗೆ ಪೂರ್ವ ತಾಯಿ ಸ್ವತ್ತನ್ನು ಹೊಂದುವಳು. (ಸ. ಅ. ಪಂ. ೧೮೩೮ ಡಿಸಂಬರ್ ೨೪; ೧೮೪೭ ಮಾರ್ಚ ೨೬; ೧೮೫೪ ಫಿಬ್ರವರಿ ೨೭, ಮಾರ್ಚ ೨೭).

೩೨೯. ಗತಿಸಿದವನತಂದೆಗೆ ಬೇರೆ ಹೆಂಡತಿಯರಿದ್ದಪಕ್ಷಕ್ಕೆ ಸದರೀ ಗತಿಸಿದವನ ಸ್ವತ್ತು ಅವರಿಗೆ ಬರಲಾರದು. ಪರಂತು ಅವನತಾಯಿಗೇಬರುವದು. (೧. ೧೪೪).

Brothers.

330. Among brothers those of the whole blood succeed first; and failing them those of the half blood (I. 144). In each class those united in coparcenery succeeded before those who have divided off. A divided whole brother and an undivided half brother participate together equally (II. 254 Sricrishna). Those of each class succeed equally, and not according to their mothers (I. 205).

Sisters.

331. Sisters are not in the line of heirs (II. 243, 244.C and S).

Brothers' sons.

332. Among brothers' sons those of the whole blood succeed before those of the half (I. 145), and the undivided before the divided (II. 254 Sricrishna). Those in each class share by representation according to their fathers (Mitacshara II. iv. 7—9).

333. The sons of brothers who have demised before the property falls in do not succeed while there are surviving brothers to take the inheritance (Macnaughten Senr. 3 ; Elberling 78).

Brothers' grandsons.

334. Brothers' grandsons are not in the (direct) line of heirs (Elberling 78), but come in ulteriorly as remoter *Sapindas.*

೩೩೦. ಅಂಣತಮ್ಮಂದರಲ್ಲಿ ಯೇಕೋದರರು ಮುಂದಾಗಿ ದಾಯಾಧಿಕಾರವನ್ನು ಹೊಂದುವರು. ಅವರು ಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಭಿನ್ನೋದರರು ಹೊಂದುವರು. (೧. ೧೪೪). ಆಯಾ ವರ್ಗದಲ್ಲಿ ವಿಭಕ್ತರಿಗಿಂತ ಮುಂದೆ ಅವಿಭಕ್ತರು ಹೊಂದುವರು. ವಿಭಕ್ತನಾದ ಯೇಕೋದರನೂ ವಿಭಕ್ತನಾಗದ ಭಿನ್ನೋದರನೂ ಕೂಡಿ ಸಮಾನವಾಗಿ ಹೊಂದುವರು. (೨. ೨೫೪; ಶ್ರೀಕೃಷ್ಣನು). ಆಯಾ ವರ್ಗದವರು ಮಾತೃಸಂಖ್ಯೆಯಿಂದ ಹೆಚ್ಚುಕಡಮೆ ಯಿಲ್ಲದೆ ಸಮನಾಗಿ ಹೊಂದುವರು. (೧. ೨೦೫). ಸೋದರರು.

೩೩೧. ವೊಡಹುಟ್ಟಿದ ಸ್ತ್ರೀಯರು ಭಾಗಕ್ಕೆ ಬಾಧ್ಯಸ್ಥರಾದವರ ಪರಂಪರೆಯೊಳಗಿನವರಲ್ಲವು. (೨. ೨೪೩, ೨೪೪ ಕೊ, ಸದರ್ ಲ್ಯಾಂಡ್). ಅಕ್ಕತಂಗಿಯರು.

೩೩೨. ಸಹೋದರ ಪುತ್ರರಲ್ಲೇಕೋದರ ಭ್ರಾತೃಪುತ್ರರು ಭಿನ್ನೋದರ ಭ್ರಾತೃಪುತ್ರರಿಗಿಂತ ಮುಂದಾಗಿ ಹೊಂದುವರು. (೧. ೧೪೫) ಮತ್ತು ಅವಿಭಕ್ತರು ವಿಭಕ್ತರಿಗಿಂತ ಮುಂದೆ ಹೊಂದುವರು. (೨. ೨೫೪; ಶ್ರೀಕೃಷ್ಣ) ಆಯಾತರದವರು ಪಿತೃಸಂಖ್ಯಾನುಗುಣವಾಗಿ ಭಾಗವನ್ನು ಹೊಂದುವರು, (ಮಿತಾಕ್ಷರ ೨. ೪. ೭. ೯). ಸಹೋದರರ ಪುತ್ರರು.

೩೩೩. ಗತಿಸಿದವನ ದ್ರವ್ಯವು ಜೀವಿತರಾದ ಸೋದರರಿಗೆ ಬರುವದೇಹೊರತು ವಿಭಾಗವಾಗುವದಕ್ಕೆ ಪೂರ್ವ ಗತಿಸಿದಸೋದರರ ಪುತ್ರರಿಗೆ ಬರಲಾರದು. (ದೊಡ್ಡಮೆಕ್ನಾಟನ್ ೩; ಎಲ್ಬರ್ಲಿಂಗ್ ೩೭).

೩೩೪. ಸೋದರರ ಪೌತ್ರರು ಸಾಕ್ಷಾತ್ ದಾಯಕ್ಕೆ ಬಾಧ್ಯಸ್ಥರಾದವರ ಪರಂಪರೆಯೊಳಗಣವರಲ್ಲವು. (ಎಲ್ಬರ್ಲಿಂಗ್ ೩೭) ಅದಾಗ್ಯೂ ತಿರುವಾಯ ಯಿವರು ದೂರಸಪಿಂಡತೆಯಿಂದ ಆಗುತ್ತಾರೆ. ಸೋದರರ ಪೌತ್ರರು.

Brothers' daughters.

335. Brothers' daughters do not inherit (II. 293, 240 S).

Succession in undivided families.

363. Where brothers are in coparcenery as an undivided family the succession differs in certain respects from that which prevails in the instance of property held individually. The estimated share of each brother vests successively in his sons, sons' sons, and sons' grandsons, as in the case of individual property. Failing these however the next in the line of succession are the surviving brothers among whom the lapsed share vests equally. The great great grandson of the demised brother would not take it unless kept open for him by the survival of his father or grandfather. From the brothers the lapsed share would vest in their male issue as far as the great grandson. After that it would pass to the widow of the last survivor of any of these. The widow of those previously demised would not participate. When there may be male issue of the undivided brothers it passes from one cousin to another to the remotest degree while remaining undivided; and on all these failing then to the widow of the last survivor among them. It finally goes to divided relatives in their order.

337. Distant undivided relatives take before the widow (S. U. Pundits 12th September 1829).

338. Where there are two brothers who have not divided and they demise in succession without male issue each leaving a widow, the widow

౩౩౫. సోదరర హెంణుమక్కళిగె దాయవు బరలారదు. (౨. ౨౩౯—౨౪౦; సదర్ ల్యాండ్). సోదరర హెంణుమక్కళు.

౩౩౬. అవిభక్తరాద సోదరర దాయవన్ను హొందతక్కవర పరంపరె విభక్తన దాయవన్ను హొందతక్కవర పరంపరెగింతలూ కెలవు విషయగళల్లి భిన్నవాగిరువదు. ఆ యా సోదరనిగె బరతక్కద్దాగి యోజిసల్పట్ట భాగవు క్రమవాగి అవనవన పుత్ర పౌత్ర ప్రపౌత్రరిగె విభక్తద్రవ్య హ్యాగో హాగెయే సేరువదు. అవరు యిల్లదపక్షక్క అవనభాగవు అవన సోదరరిగె సమానవాగి సేరువదు. గతిసిద సోదరనభాగవు తన్న తందెగాగలి తాతనిగాగలి సల్లదే ప్రపౌత్రపుత్రనిగె బరలారదు. సోదరరిగె బంద భాగవు అవర సంతతియల్లి ప్రపౌత్రనవరివిగె బరువదు. ఆ సంతతియవరు యిల్లదపక్షక్క అవరల్లి తడెగె గతిసిదవనభార్యెగె బరువదు. పూర్వవే గతిసిదవర హెండతిగె భాగబరలారదు. అవిభక్తరాద సోదరరపుత్రపరంపరెయల్లి దూరతమరాద అవిభక్తజ్ఞాతిగళ వరివిగె ఆ భాగ సేరువదు. ఇవరుగళెల్ల యిల్లదపక్షక్క తడెగె గతిసిదవన హెండతిగె సేరతక్కద్దు. అవళిల్లదిద్దరె విభక్తరన్ను సేరువదు. అవిభక్త కుటుంబదల్లి దాయ బరువ క్రమ.

౩౩౭. అవిభక్తరాద దూగబంధుగళు గతిసిదవన భార్యెగింతలూ ముందాగి హొందువరు. (స. అ. పం. ౧౮—౨౯ సెప్టంబర్ ౧౨).

౩౩౮. అవిభక్తసోదరరల్లి ఒబ్బను ముందాగి గతిసిదరె సముదాయద్రవ్యవెల్లవూ జీవితనిగె సేరువదాద్దరింద అంతా సోదరరిబ్బరూ సంతతియిల్లదె క్రమక్రమవా

of the last survivor alone inherits. This is because on the death of the brother who first demised the entire property vested in the surviving brother and so passes on to his widow (II. 231, 232. C. and Dorin).

339. Where one of two undivided brothers may demise leaving a daughter, she does not succeed. The property passes on to the surviving brother and his male issue, and eventually to divided cousins (S. U. Pundits 24th October 1853).

Self acduired property of coparceners.

340. The self acquired property of a coparcener, immoveable and moveable, vests wholly in his male issue as far as the great grandson (S. U. Pundits 15th June 1838 ; 7th November 1850). Failing male issueit goesto hisundivided brothers and their line (S. U. Pundits 16th January 1837).

Adopted son.

341. Property held by an adopted son on the failure of the line of the adoptive family passes to his natural kindred each in their order (S. U. Pundits 9th October 1855).

Inheritance by females.

342. Females inherit only in divided families (Elberling 68). or on exhaustion of male undivided members.

Descent of women's property.

343. Property vesting in a female, however obtained, descends first to her daughters, the unmarried having preference over the married and the unendowed over the endowed ; then to her daughters' daughters ; daughters' sons ; sons ; and sons' sons (I. 51 ; Mitacshara II. xi. 9. 13) —the distinction also prevailing in favor of those who have sons, or may have them, over the son-

ಗಿ ಗತಿಸಿದರೆ ಅವರ ಹೆಂಡತಿಯರಲ್ಲಿ ಕಡೆಗೆ ಗತಿಸಿದವನ ಹೆಂಡತಿಗೇ ಬರುವದು. (ಶ. ೨೩೧, ೨೩೨ ಶ್ಲೋ., ಡೋರಿಕ).

೨೩೯. ಅವಿಭಕ್ತರಾದ ಯಿಬ್ಬರು ಸೋದರರಲ್ಲಿ ಗತಿಸಿದವನ ಮಗಳಿಗೆ ದಾಯ ಬರಲಾರದು. ಆ ದ್ರವ್ಯವು ಜೀವಿತನಾದ ಸೋದರನಿಗೆ ಬರುವದು. ತರುವಾಯ ಅವನಪುತ್ರಪರಂಪರೆಗೆ ಹೋಗುವದು. ಕಡೆಗೆ ಅವನ ವಿಭಕ್ತರಾದ ಚಿಕ್ಕಪ್ಪ ದೊಡ್ಡಪ್ಪಂದರ ಮಕ್ಕಳಿಗೆ ಸೇರುವದು. (ಸ. ಅ. ಪಂ. ೧೮೫೩ ಅಕ್ಟೋಬರ ೨೮).

ಅಂಶಕನ ಸ್ವಾರ್ಜಿತದ್ರವ್ಯ.

೨೪೦. ಯೊಬ್ಬ ಅಂಶಕನ ಸ್ವಾರ್ಜಿತದ್ರವ್ಯ ವಿಶಿಷ್ಟವೂ ಸ್ಥಾವರವಾಗಲಿ ಜಂಗಮವಾಗಲಿ ಅವನಪ್ರಪೌತ್ರನಪರ್ಯಂತ ಪುತ್ರಪರಂಪರೆಯವರನ್ನು ಹೊಂದುವದು. (ಸ. ಅ. ಪಂ. ೧೮೩೮ ಜೂನ ೧೫; ೧೮೫೦ ನವಂಬರ ೭) ಪುತ್ರಸಂತತಿ ಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಆ ದ್ರವ್ಯವು ಅವನ ಅವಿಭಕ್ತಸೋದರರನ್ನು ಹೊಂದಿ ಅವರ ಪರಂಪರೆಗೆ ಸೇರುವದು. (ಸ. ಅ. ಪಂ. ೧೮೩೭ ಜನವರಿ ೧೬).

ದತ್ತಕನದ್ರವ್ಯವು.

೨೪೧. ದತ್ತಕನ ದ್ರವ್ಯವು ಸ್ವೀಕರಿಸಿನ ಕುಟುಂಬ ಪರಂಪರೆಯೊಳಗಣವರ್ಯಾರೂ ಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಅವನ ಜನಕಪಿತನ ಕುಟುಂಬದೊಳಗಣ ಬಂಧುಗಳನ್ನು ವರ್ಗಕ್ರಮಾನುಸಾರವಾಗಿ ಹೊಂದುವದು. (ಸ. ಅ. ಪಂ. ೧೮೫೫ ಅಕ್ಟೋಬರ ೯).

ಹೆಂಗಸರು ದಾಯ ವನ್ನು ಹೊಂದುವಿಕೆ.

೨೪೨. ವಿಭಕ್ತಕುಟುಂಬಗಳಲ್ಲಿಮಾತ್ರ ಸ್ತ್ರೀಗಳು ಭಾಗವನ್ನು ಹೊಂದುವರು. (ಎಲ್ಬರ್ಲಿಂಗ ೬೮) ಅವಿಭಕ್ತಕುಟುಂಬಗಳಲ್ಲಿ ಪುರುಷಪರಂಪರೆಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ದಾಯ ಹೊಂದುವರು.

ಸ್ತ್ರೀಧನವು ಸೇರುವ ಕ್ರಮ.

೨೪೩. ಸ್ತ್ರೀಗೆ ಯಾವವಿಧದಿಂದಲಾಗಲಿ ಬಂದ ದ್ರವ್ಯವು ಮುಂದಾಗಿ ಅವಳ ಹೆಣ್ಣುಮಕ್ಕಳಿಗೆ ಸೇರುತ್ತದೆ. ಅವರಲ್ಲಿ ಪಿವಾಹಿತೆಯರಿಗಿಂತ ಮುಂದೆ ಮದುವೆ ಯಿಲ್ಲದವರಿಗೂ ಧನವಿದ್ದವರಿಗಿಂತ ಮುಂದೆ ಧನವಿಲ್ಲದವರಿಗೂ ಸೇರುವದು. ಬಳಿಕ ಅವಳ ಮಗಳ ಹೆಣ್ಣುಮಕ್ಕಳಿಗೂ; ದೌಹಿತ್ರರಿಗೂ; ಪುತ್ರರಿಗೂ; ಪೌತ್ರರಿಗೂ;

less (Smruti Chandrika). Should the marriage have been of one of the approved species, namely Brahma, Daiva, Arsha, Prajapatya, or Gandharva (Menu IX. 196 ; Smruti Chandrika ; Vyavahara Mayookha), it next goes to her husband and his kin in their order ; if of one of the disapproved species, namely Racshasa, Ausoora, or Paishacha, it goes to her own family ; namely to her mother, father and their next of kin (I. 51 ; Mitacshara II. xi. 11).

Grand daughters.

344. Granddaughters succeed by representation according to their mothers (Mitacshara II. xi. 16).

Woman's fee.

345. The woman's fee, or the gratuity given to her on her marriage by the bridegroom for purchase of household utensils, cattle &c. (Smruti Chandrika ; Mayookhum), as an exception goes to her brothers (I. 51,250).

Property of unmarried females.

346. On a female dying unmarried any nuptial present she may have received from her intended husband, in antcipation of marriage, is returnable to him, the charges on both sides being first deducted therefrom. Presents made to her individually by relatives go to her brothers, and then to her mother and father. The rest of her property goes in the first instance to her undivided unmrrried sisters, and failing them to her brothers &c. (Mitacshara II. xi. 12, 30).

Descent on failure of relatives.

347. On failure of all relatives property vesting in a male will pass to his preceptor ; pupil ; or fellow student, each in order. In the case of Brahmins it will pass onwards to any learned or

(౧. ౫౧; మితాక్షర ౨. ౧౧. ౯, ౧౩) పుత్రరిల్లదవరిగింత పూర్వ పుత్రవరిగళిగూ పుత్రవరిగళాగళక్కవరిగూ హొందువదు. (స్మృతిచంద్రికె). ఇవరిల్లదిద్దరె బ్రాహ్మ, దైవ, ఆర్ష, ప్రాజాపత్య, గాంధర్వగళెంబ వివాహగళల్లి హొందుబగె వివాహవాగిద్ద హెంగసిన ధనవు (మను. ౯. ౧౯౬; స్మృతిచంద్రికె; వ్యవహారమయూఖ) అవళ గండసిగూ, అవళ సంతతియవరిగూ క్రమవాగి బరువదు. నిషిద్ధగళాద ఆసుర రాక్షస పైశాచగళొళగె హొందు మదువెయాద హెంగసిన ధనవు అవళ తాయితందెగళన్నూ అవర సంతతియవరన్నూ హొందువదు. (౧. ౫౧; మితాక్షర ౨. ౧౧:౧౧).

౩౭౪. పుత్రికాపుత్రికెయరు మాతృసంఖ్యానుగుణవాగి దాయాంశవన్ను హొందువరు. (మితాక్షర ౨. ౧౧. ౧౬). పుత్రికా పుత్రికెయరు.

౩౭౫. వివాహ కాలదల్లి గృహోపకరణగళు దనగళు ముంతాదవుగళన్ను కొళ్ళువదక్కాగి మదవణిగను హెండతిగె కొడువ హొంలి. (స్మృతిచంద్రికె; వ్యవహారమయూఖ) మాత్ర అవళ సోదరరిగె సల్లువదు. (౧. ౫౧, ౨౫౦). పారితోషిక.

౩౭౬. కన్యె కళిసిదరె అవళన్ను మదువె మాడికొళ్ళువదక్కె నిశ్చయిసిద వరను అవళిగె కొట్ట వరశె ద్రవ్య యావదాగలి అవనిగె వాపస్ సల్లతక్కద్దు. ఉభయపక్షదవర ఖర్చుగళు అదరల్లి వజామాడతక్కద్దు. అవళిగె బంధుగళు ప్రత్యేకవాగి కొట్ట పారితోషికగళు అవళ సోదరరిగె సేరువదు. బళిక తాయితందెగళిగె సేరువదు. అవళ ఉళిద ద్రవ్యవు మొదలు మదువె యిల్లద అవిభక్త భగినియరిగె సేరువదు. అవరిల్లద పక్షక్కె అవర సోదరరు ముంతాదవరన్ను హొందువదు. (మితాక్షర ౨. ౧౧. ౧౨, ౩౦). కన్యాధన.

౩౭౭. బంధుగళ్యారూయిల్లద పక్షక్కె పురుషన ద్ర బంధుగళిల్ల

venerable priest ; and then to any pure Brahmin ; and will never escheat. In the case of other castes failing the fellow student, it escheats to the ruling power (Mitacshara II. vii). Property vesting in a female, if not of the Brahmin caste, would in default of relatives escheat. The property of a Brahmin female without kindred goes to Brahmins.

Property of devotees.

348. The property of devotees who have abdicated all wordly ties, goes to those associated with them in spiritual position. That of the *Brahmachari*, or professed student, is taken by his preceptor. That of the ascetic by his virtuous pupil. That of the hermit by his spiritual brother ; that is one who has consented to become a brotherly companion ; and finally by any one of the same religious institution. The natural kindred are totally excluded (Mitacshara II. viii--16).

—of dancing girls.

349. The property of a dancing girl will pass to her female issue first, and then to her male, as in the case of other females.

350. On failure of issue the property of a dancing girl will go to the pagoda to which she is attached (S. U. Pundits 12th September 1853).

—of prostitutes.

351. With prostitutes the tie of kindred being broken none of their telatives who remain undegraded in caste, whether offspring or other, inherit from them (Pro. of S. U. 11th Nov. 1844 ; S. D. A. VII. 273). Their issue after their degradation succeed.

ವ್ಯವು ಅವನ ಉಪಾಧ್ಯಾಯನಿಗಾಗಲಿ ಶಿಷ್ಯನಿಗಾಗಲಿ, ಸತೀರ್ಥ್ಯನಿಗಾಗಲಿ ಕ್ರಮವಾಗಿ ಸೇರುವದು. ಆ ದ್ರವ್ಯವು ಬ್ರಾಹ್ಮಣರಲ್ಲಿ ಶ್ರೋತ್ರಿಯನಾದ ಗುರುವಿಗ್ಯಾವನಿಗಾಗಲಿ ಸೇರುವದು. ಅವನಿಲ್ಲದಿದ್ದರೆ ಸದ್ಬ್ರಾಹ್ಮಣನಿಗೆ ಸೇರುವದು. ಸರ್ಕಾರಕ್ಕೆ ಸೇರಲಾರದು. ಇತರ ವರ್ಣಗಳಲ್ಲಿ ಸತೀರ್ಥ್ಯನಿಲ್ಲದಿದ್ದರೆ ಸರ್ಕಾರಕ್ಕೆ ಸೇರುವದು. (ಮಿತಾಕ್ಷರ ೨. ೭) ಬ್ರಾಹ್ಮಣಳಲ್ಲದ ಹೆಂಗಸಿಗೆ ಬಂಧುಗಳಿಲ್ಲದಿದ್ದರೆ ಅವಳ ದ್ರವ್ಯ ಸರ್ಕಾರದವರಿಗೆ ಸೇರುವದು. ಬಂಧುಗಳಿಲ್ಲದ ಬ್ರಾಹ್ಮಣಳ ದ್ರವ್ಯವು ಬ್ರಾಹ್ಮಣರಿಗೇ ಸೇರುವದು.

(ಇದ್ದರೆ ದಾಯ ಸೇರತಕ್ಕ ಕ್ರಮ.)

೩೪೮. ಲೋಕಬಂಧಗಳನ್ನೆಲ್ಲ ತ್ಯಜಿಸಿದ ವಿರಕ್ತರ ಸ್ವತ್ತು ಅವನೊಡನೆ ಕೂಡಿಯಿರುವ ಆತ್ಮ ಸಂಬಂಧವುಳ್ಳವರಿಗೆ ಸೇರುವದು. ಬ್ರಹ್ಮಚಾರಿಯ ದ್ರವ್ಯವು ಅವನಯುಪಾಧ್ಯಾಯನಿಗೆ ಸಲ್ಲುವದು. ಸನ್ಯಾಸಿಯ ಸ್ವತ್ತು ಗುಣವಂತನಾದ ಅವನ ಶಿಷ್ಯನಿಗೆ ಸೇರುವದು. ವಾನಪ್ರಸ್ಥನ ಸ್ವತ್ತು ಅವನೊಡನೆ ಯಿರುವ ವಾನಪ್ರಸ್ಥಾಶ್ರಮವನ್ನು ಹೊಂದತಕ್ಕವನಿಗೆ ಸೇರುವದು. ಕಡೆಗೆ ಯಾರಿಗಾಗಲಿ ಸಮಾನವಾದ ಆಶ್ರಮವುಳ್ಳವರಿಗೆ ಸೇರುವದು. ಬಂಧುಗಳಿಗೆ ಸೇರಲಾರದು. (ಮಿತಾಕ್ಷರ ೨. ೮. ೧—೬).

(ವಿರಕ್ತರ ದ್ರವ್ಯವು.)

೩೪೯. ಸೂಳೆಯರ ಸ್ವತ್ತು ಮೊದಲು ಅವಳ ಹೆಣ್ಣುಮಕ್ಕಳ ಪರಂಪರೆಯವರಿಗೆ ಸೇರುವದು. ಅವರಿಲ್ಲದಿದ್ದರೆ ಗರತಿಯರ ಸ್ವತ್ತಿನಂತೆಯೇ ಅವಳ ಪುತ್ರಸಂತತಿಯವರಿಗೆ ಸೇರುವದು.

(ಸೂಳೆಯರ--)

೩೫೦. ಸಂತತಿಯಿಲ್ಲದ ಸೂಳೆಯರ ಸ್ವತ್ತು ಅವರು ಊಳಿಗ ಮಾಡುವ ದೇವಸ್ಥಾನಕ್ಕೆ ಸೇರುತ್ತದೆ. (ಸ. ಅ. ಪಂ. ೧೮೫೩ ಸೆಪ್ಟಂಬರ್ ೧೨).

೩೫೧. ಕೂಡಿದವರು ಬಾಂಧವ್ಯವನ್ನು ಹೋಗಲಾಡಿಸಿಕೊಂಡವರಾದ್ದರಿಂದ ಅವರ ದ್ರವ್ಯವು ಕುಲದಲ್ಲಿ ಹುಟ್ಟಿದ ಮಕ್ಕಳು ಮುಂತಾದವರು ಯಾರಿಗೂ ಸೇರಲಾರದು. (ಸ. ಅ. ಪ್ರೊ. ೧೮೪೪ ನವಂಬರ್ ೧೧; ಸ. ದಿ. ಅ. ೭. ೨೭೩) ಕುಲಕ್ಕೆ ಹೊರಗಾದ ತರುವಾಯ ಹುಟ್ಟಿದ ಸಂತತಿಯವರಿಗೆ ಸೇರುವದು.

(ಕೂಡಿದವರ--)

CHAP. XII.

BENGAL LAW.

Dissimilarity of Bengal law with Benares law.

352. The chief points on which the law as followed in Bengal differs from that obtaining in the Benares school and those assimilating thereto, including the Drauvida shool, or that of Madras, are as follows.

Authorization of widow to adopt.

353. The assent of the husdand's kindred in default of the authorization of the husband does not suffice to warrant a widow in making adoption (Dattaka Mimamsa I. 18). Opposed to Vyavahara Mayookha IV. v. 17, (II. 92. C.); Duttaka Mimamsa by Sri Rama Pundita.

Father's power over immoveable property.

354 A father may alienate a small portion of the ancestral immoveable property at his pleasure (Daya Bhaga II. 24). Opposed to Mitacshara I. v. 9, 10, by which none can be alienated but with consent of the sons.

Illegal alienations.

355. An alienation of property prohibited by law is nevertheless left undisturbed when actually affected, on the principle that " a fact cannot be altered by a hundred texts" (Daya Bhaga II. 30), a doctrine not recognized in the Benares school (I. 23. 24; Smruti Chandrika).

Right of sons in father's property.

356. Sons have not ownership in their father's property, ancestral or other, until ofter his demise (Daya Bhaga I. 30; II. 9, II). Opposed to Mitacsharo I. i. 323, 27.

౧౨. ప్రకరణ.

బంగాళా శాస్త్ర సంప్రదాయ.

౩౫౨. బంగాళాశీమెయల్లి ఆచరిసల్పడుతిరువ శాస్త్ర సంప్రదాయక్కూ ద్రవిడ ముంతాద సంప్రదాయగళిగె సమానవాగి యిరువ కాశీ సంప్రదాయక్కూ యిరువ ముఖ్యభేదగళు యీ కెళగె తిళిసల్పడుతవె. బంగాళా కాశీశాస్త్ర సంప్రదాయ భేద.

౩౫౩. వితంతు పుత్రస్వీకార మాడువదరల్లి గండన అప్పణెయిల్లదె బంధుగళ అప్పణెమాత్రసల్లదు. (దత్తక మీమాంస ౧. ౧౮) ఇదు వ్యవహారమయూఖదల్లి ౪. ౫. ౧౭నేదక్కె విరుద్ధ. (౨. ౯౨ శ్లో). శ్రీరామపండితర దత్తకమీమాంసెగె విరుద్ధ. పుత్రస్వీకారదల్లి వితంతువిగె అప్పణె.

౩౫౪. తందె తన్న దొడ్డవర స్థావరస్వత్తినల్లి స్వల్పాంశవన్ను తనగె యిష్టప్రకార వినియోగిసికొళ్ళబహుదు. (దాయభాగదల్లి ౨. ౨౪) ఇదు మితాక్షర. ౧. ౫. ౯, ౧౦రల్లి పుత్రర అనుమతియిల్లదె యెష్టుమాత్రవూ వినియోగిసకూడదెందు ప్రతిషేధిసల్పట్టిదె. స్థావరస్వత్తినల్లి తందెయ అధికార.

౩౫౫. నడెద కార్యవు నూరు ప్రతిషేధగళిందాగలి నివారిసల్పడలారదెంబ హేతువిన మేలె ద్రవ్య వినియోగవు శాస్త్రవిరుద్ధవాదాగ్యూ మించి నడదుహోదద్దు ప్రతిషేధిసల్పడలారదు. (దాయభాగ ౨. ౩౦). ఈ సిద్ధాంతవు కాశీ సంప్రదాయదల్లి సమ్మతవల్ల. (౧. ౨౩, ౨౪; స్మృతిచంద్రికె). అశాస్త్రీయగళాద వినియోగగళు

౩౫౬. తందె గళిసువపర్యంత అవన పూర్వికర స్వత్తినల్లాగలి యితరదల్లాగలి మగనిగె బాధ్యతెయిల్ల. (దాయ తందెయ స్వత్తినల్లి పుత్రరిగిరువ

Son's right o force partition on father

357. Sons consequently cannot force partition on their fathers, even of the ancestral property. The act depends on the father's pleasure (Daya Bhaga I. 38 ; II. 20). Opposed to Mitacshara I. ii. 7 (I, 179).

Father's share.

358. In coming to a partition of the ancestral property with his sons the father is entitled to a double share (Daya Bhaga II. 20). Opposed to Mitacshara I. v. 5. which gives like shares to father and sons.

Portion of son born after partition.

359. A son born after partition between a father and his sons is to have his portion alloted to him out of his brother's shares (Daya Bhaga VII. 10—12). Opposed to Mitacshara I. vi. 2 which provides that the portion be taken from the father's share.

Concealment of property by coheir.

360. The concealment by a coheir of property subject to division is not visited with forfeiture by him of his share therein (Daya Bhaga XIII. 2). Opposed to Mitacshara I. ix. 4, 5.

Barren and sonless widowed daughters.

361. Barren and sonless widowed daughters are excluded from inheriting from the father (Daya Bhaga XI. ii. 3). Opposed to Mitacshara II. ii. which prescribes no such exclusion, and II. xi. 13.

Right of father before mother.

362. In the ascending line the father takes before the mother, and the grandfather before the

ಭಾಗ ೧. ೩೦; ೨. ೯, ೧೧) ಇದು ಮಿತಾಕ್ಷರದಲ್ಲಿ ೧. ೧. ೩೨೩, ೨೭ನೇದಕ್ಕೆ ವಿರುದ್ಧವು. ಸ್ವತ್ವ.

೩೫೭. ತನಗೆ ಸ್ವತ್ವವಿಲ್ಲವಾದ್ದರಿಂದ ಪುತ್ರರು ತಂದೆಗಳನ್ನು ಅವರ ಪೂರ್ವಿಕರ ದ್ರವ್ಯವನ್ನು ಸಮ ವಿಭಾಗಿಸಿ ಕೊಡ ಹೇಳಿ ಬಲಾತ್ಕಾರ ಮಾಡಕೂಡದು. ಈ ಕಾರ್ಯವು ತಂದೆಯ ಇಚ್ಛಾಧೀನವಾಗಿರುತ್ತದೆ. (ದಾಯಭಾಗ ೧. ೩೮; ೨. ೨೦) ಇದು ಮಿತಾಕ್ಷರದಲ್ಲಿ ೧. ೨. ೭ಕ್ಕೆ ವಿರುದ್ಧವು. (೧. ೧೭೯). ಪುತ್ರನು ವಿಭಾಗಕ್ಕಾಗಿ ತಂದೆಯನ್ನು ಬಲಾತ್ಕರಿಸುವ ಅಧಿಕಾರ.

೩೫೮. ತಂದೆ ಪೂರ್ವಿಕರ ದ್ರವ್ಯವನ್ನು ಪುತ್ರನೊಡನೆ ಭಾಗಿಸಿಕೊಂಡಾಗ ಅವನಿಗೆ ಎರಡು ಭಾಗ ಬರತಕ್ಕದ್ದು. (ದಾಯಭಾಗ ೨. ೨೦) ಇದು ಮಿತಾಕ್ಷರದೊಳಗೆ ೧. ೫. ೫ರಲ್ಲಿ ಪಿತಾಪುತ್ರರಿಗೆ ಸರಿಭಾಗವೆಂಬದಾಗಿ ಹೇಳಿ ಪ್ರತಿಷೇಧಿಸಲ್ಪಟ್ಟದೆ. ತಂದೆಯ ಭಾಗ.

೩೫೯. ತಂದೆ ಮಕ್ಕಳಿಗೆ ಭಾಗ ತೀರಿದ ಬಳಿಕ ಹುಟ್ಟಿದ ಮಗನಿಗೆ ಸಹೋದರರ ಭಾಗಗಳಲ್ಲಿ ಭಾಗ ಬರತಕ್ಕದ್ದು. (ದಾಯಭಾಗದಲ್ಲಿ ೭. ೧೦—೧೨). ಇದು ಮಿತಾಕ್ಷರದಲ್ಲಿ ೧. ೬. ೨ರಲ್ಲು ಆ ಭಾಗ ತಂದೆಯ ಭಾಗದಲ್ಲಿ ಬರತಕ್ಕದ್ದೆಂದು ವಿಧಿಸಿದ ಅಂಶಕ್ಕೆ ವಿರುದ್ಧವಾಗಿರುತ್ತದೆ. ವಿಭಾಗಕ್ಕೆ ತರುವಾಯ ಹುಟ್ಟಿದ ಮಗನ ಭಾಗ.

೩೬೦. ವಿಭಾಗವಾಗತಕ್ಕ ದ್ರವ್ಯವನ್ನು ವೊಬ್ಬ ದಾಯಾದಿ ವಿಕ್ರಯಿಸುವದರಿಂದ ಅವನಿಗೆ ಸ್ವತ್ತಿನಲ್ಲಿ ಬಾಧ್ಯತೆ ತಪ್ಪಲಾರದು. (ದಾಯಭಾಗ ೧೩. ೭) ಇದು ಮಿತಾಕ್ಷರ ೧. ೯. ೪, ೫ಕ್ಕೆ ವಿರುದ್ಧ. ದಾಯಾದಿ ಸ್ವತ್ವಸ್ಥಿತಿ ಬಿಡುವಳಿ.

೩೬೧. ಬಂಜೆಯರಾದ ಹೆಂಣು ಮಕ್ಕಳಿಗೂ, ಮಕ್ಕಳಿಲ್ಲದ ವಿತಂತುಗಳಾದ ಹೆಂಣು ಮಕ್ಕಳಿಗೂ ತಂದೆಯ ಸ್ವತ್ತಿನಲ್ಲಿ ಭಾಗವಿಲ್ಲವು. (ದಾಯಭಾಗ ೧೧. ೭. ೩) ಇದು ಮಿತಾಕ್ಷರ ೨. ೨ರಲ್ಲಿ ೨. ೯. ೧೩ರಲ್ಲೂ ಪ್ರತಿಷೇಧಿಸಲ್ಪಟ್ಟದೆ. ಬಂಜೆಯರಾದ ಪುತ್ರಿಕೆಯರಿಗೂ ಮಕ್ಕಳಿಲ್ಲ ನಿರಂತುಗಳಾ ಪುತ್ರಿಕೆಯರಿಗೂ.

೩೬೨. ಆ ಶೋಧನಾ ಕ್ರಮದಲ್ಲಿ ತಾಯಿಗಿಂತ ಮುಂದೆ ತಂದೆಗೆ ಸ್ವತ್ವ ವುಂಟು. ಅವ್ವನಿಗೆ ಪೂರ್ವ ತಾತನಿಗೆ ಸ್ವತ್ವ ತಾಯಿಗೆ ಮುಂಚೆ ತಂದೆಗೆ ಸ್ವತ್ವ.

grandmother (Daya Bhaga XI, iv, 3, 4). Opposed to Mitacshara II. iii. 5 which gives the rule in the reverse.

Brothers' grandsons.

363. Brothers' grandsons are in the line of heirs (Daya Bhaga XI. vi. 6), Opposed to Mitacshara II. v. 1 which shows them to be excluded.

Sisters' sons.

364. Sisters' sons are also in the line of hairs (Daya Bhaga XI. vi. 8, 9). Opposed to Mitacshara which excludes them (I. 147), by not entering them as heirs.

Widow of undivided member.

365. The property of a man dying without male issue goes to his widow whether he be divided from his coheirs or not (Daya Bhaga XI. i. 46). Opposed to Mitacshara II. i. 30 which makes the descent to the widow depend on the husband having divided off (I. 121).

Woman's property.

366. Woman's property is of two descriptions according as it may have been acquired. Over one sort she has exclusive right. The other sort is subject to the control of her husband. Gifts made to her by her husband or relatives before, at, or after her marriage, or by her husband on the occasion of his taking to himself another wife, are of the first sort and are denominated specially *Stridhana*, or woman's separate property. Her remaining

ವುಂಟು. (ದಾಯಭಾಗ ೧೧. ೪. ೩, ೪) ಇದು ಮಿತಾಕ್ಷರ ೨. ೩. ೫ರಲ್ಲಿ ಸಾಕ್ಷಾದ್ವಿರುದ್ಧಾರ್ಥಕವಾದ ವಚನವನ್ನು ಹೇಳಿ ಪ್ರತಿಷೇಧಿಸಲ್ಪಟ್ಟಿದೆ.

೩೬೩. ಸೋದರರ ಪೌತ್ರರು ವಾರಸ್‌ದಾರರಲ್ಲಿ ಸೇರಿದವರು. (ದಾಯಭಾಗ ೧೧. ೬. ೬) ಯಿದು ಮಿತಾಕ್ಷರ ೨. ೫. ೧ರಲ್ಲಿ ಅವರ ವಾರಸ್‌ದಾರರಲ್ಲವೆಂದು ಪ್ರತಿಷೇಧಿಸ್ಪಟ್ಟಿದೆ. ಸೋದರರ ಪೌತ್ರರು.

೩೬೪. ಅಕ್ಕ ತಂಗಿಯರ ಮಕ್ಕಳು ಸಹ ಬಂಧುದಾತ್ರ ಪಙ್ಕ್ತಿಯಲ್ಲಿ ಸೇರಿದವರು. (ದಾಯಭಾಗ ೧೧. ೬. ೮, ೯) ಇದು ಮಿತಾಕ್ಷರಕ್ಕೆ ವಿರುದ್ಧ. (೧. ೧೪೩) ಇದರಲ್ಲಿ ಯಿವರು ವಾರಸ್‌ದಾರರೆಂದು ನಮೂದಿಲ್ಲದ್ದರಿಂದ ಯಿವರು ವಿನಾಯಿಸಲ್ಪಡುತ್ತಾರೆ. ಅಕ್ಕತಂಗಿಯರ ಮಕ್ಕಳು.

೩೬೫. ತನ್ನ ದಾಯಾದಿಗಳೊಡನೆ ವಿಭಾಗ ಮಾಡಿಕೊಂಡಾಗಲಿ ಮಾಡಿಕೊಳ್ಳದೆಯಾಗಲಿ ಪುತ್ರ ಸಂತತಿಯಿಲ್ಲದೆ ಮೃತನಾದವನ ಸ್ವತ್ತು ಅವನ ಹೆಂಡತಿಗೆ ಸೇರುತ್ತದೆ. (ದಾಯಭಾಗ ೧೧. ೧. ೪೬) ಇದು ಮಿತಾಕ್ಷರದಲ್ಲಿ ೨. ೧. ೩೦ಕ್ಕೆ ವಿರುದ್ಧವು. ಇದರಲ್ಲಿ ವಿಭಕ್ತನಾಗಿ ಮೃತನಾದವನ ಸ್ವತ್ತೇ ಅವನ ಹೆಂಡತಿಗೆ ಸೇರುವದೆಂದು ಹೇಳಲ್ಪಟ್ಟಿದೆ. (೧. ೧೨೧). ಗತಿಸಿದ ಅವಿಭಕ್ತನಸ್ವಾಸ್ತ್ಯ.

೩೬೬. ಸ್ತ್ರೀಧನವನ್ನು ಸಂಪಾದಿಸುವದಕ್ಕೆ ಉಂಟಾದ ನಿಮಿತ್ತ ಭೇದದಿಂದ ಅದು ಮೂರು ಬಗೆಯಾಗಿರುವದು. ಅವುಗಳೊಳಗೊಂದರಲ್ಲಿ ಸ್ತ್ರೀಗೆ ಮಾತ್ರ ಬಾಧ್ಯತೆ ವುಂಟು. ಮೂರನೆಯ ವಿಧದಲ್ಲಿ ಗಂಡನಿಗೆ ಬಾಧ್ಯತೆ ಯಿರುತ್ತೆ. ಗಂಡನಾಗಲಿ ಬಂಧುಗಳಾಗಲಿ ಹೆಂಗಸಿಗೆ ಮದುವೆಯ ಕಾಲದೊಳಗಾಗಲಿ ಅಥವಾ ಅದಕ್ಕೆ ಹಿಂದುಮುಂದಾಗಿಯಾಗಲಿ ಕೊಟ್ಟ ದ್ರವ್ಯವೂ ಗಂಡನು ಮತ್ತೊಂದು ಮದುವೆ ಮಾಡಿಕೊಳ್ಳುವಾಗ ಪಾರಿತೋಷಿಕವಾಗಿ ಹೆಂಗಸಿಗೆ ಕೊಟ್ಟ ದ್ರವ್ಯವೂ ಮೊದಲನೇ ವಿಧ. ಇದೇ ಸ್ತ್ರೀಧನವೆಂದು ಕರೆಯಲ್ಪಡುವದು. ಹೆಂಗಸಿನ ಉ ಸ್ತ್ರೀಧನ.

property coming to her by gift from others than her relations, by her labour, or by inheritance, is of the second description and is not comprehended by the term *Stridhana* (Daya Bhaga IV. i. 13, 15, 18—21). Opposed to Mitacshra II. xi. 2. 3. pursuant to which all her property, however derived, comes under the designation of *Stridhana*

367. Woman's separate property is again subject to distinction according as it may have been the gift of the bridegroom at the time of the marriage, or obtained otherwise. The former is termed *Youtaca*, and the latter *Ayoutaca* (Daya Bhaga IV. ii. 13—15). In the Mitacshara no such distinction prevails.

368. Woman's separate property, if *Youtaca* goes to her daughters; first to the unaffianced then to the betrothed; lastly to the married. Failing daughters it goes to sons (Daya Bhaga IV. ii. 13, 23, 25). Her remaining property goes to her sons and maiden(unbetrothed)daughters equally; failing one the others take; then to the married daughter who has a son, or who may have one; next to her son's son; after that to her daughter's son; then to barren and widowed daughters (Daya Bhaga IV. ii. 9, 11, 12). But should the property have descended to her from her husband it reverts to his heirs, and first

ಳಿದ ದ್ರವ್ಯವು ಅವಳ ಬಂಧುಗಳಿಗಿಂತ ಇತರರು ಕೊಟ್ಟಿದ್ದಾಗಲಿ, ಕಸ್ವಾರ್ಜಿತವಾಗಲಿ ದಾಯದಿಂದ ಬಂದದ್ದಾಗಲಿ ಯೌತಕನೇ ವಿಧಕ್ಕೆ ಸೇರಿದ್ದು. ಇದು ಸ್ತ್ರೀಧನವೆಂದು ಕರೆಯಲ್ಪಡಲಾರದು. (ದಾಯಭಾಗ ೪. ೧. ೧೩, ೧೫, ೧೮—೨೧) ಇದು ಮಿತಾಕ್ಷರದಲ್ಲಿ ೨. ೧೧. ೨, ೩ಕ್ಕೆ ವಿರುದ್ಧವು. ಇದರಲ್ಲಿ ಸ್ತ್ರೀಯ ದ್ರವ್ಯವು ಯಾವ ವಿಧದಿಂದ ಬಂದದ್ದಾಗಲಿ ಸ್ತ್ರೀಧನವೆಂದು ಕರೆಯಲ್ಪಟ್ಟಿತು.

೩೬೩. ವಿವಾಹದಲ್ಲಿ ಗಂಡನಿಂದ ಬಂದದ್ದೆಂತಲೂ, ಇತರರಿಂದ ಬಂದದ್ದೆಂತಲೂ ಸ್ತ್ರೀಧನವು ಪುನಃ ಎರಡು ಬಗೆಯಾಗಿರುತ್ತದೆ. ಮೊದಲನೇದು ಔತಕವೆಂತಲೂ, ಎರಡನೇದು ಅಯೌತಕವೆಂತಲೂ ಹೇಳಲ್ಪಡುವದು. (ದಾಯಭಾಗ ೪. ೨. ೧೩—೧೫) ಈ ಭೇದವು ಮಿತಾಕ್ಷರದಲ್ಲಿ ಕಾಣುವದಿಲ್ಲವು.

೩೬೪. ಸ್ತ್ರೀಯ ಔತಕದ್ರವ್ಯವು ಹೆಣ್ಣುಮಕ್ಕಳಿಗೆ ಸೇರುತ್ತೆ. ಈ ಪೈಕಿ ಮೊದಲು ಮದುವೆಯಿಲ್ಲದವಳಿಗೂ, ತರುವಾಯ ನಿಶ್ಚಿತಾರ್ಥವಾದವಳಿಗೂ, ಕಡೆಗೆ ಮದುವೆಯಾದವಳಿಗೂ ಸೇರುವದು. ಹೆಣ್ಣುಮಕ್ಕಳಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಗಂಡುಮಕ್ಕಳಿಗೆ ಸೇರುವದು. (ದಾಯಭಾಗ ೪. ೨. ೧೩, ೨೩, ೨೫) ಸ್ತ್ರೀಯ ಮಿಕ್ಕ ದ್ರವ್ಯವು ಅವಳ ಮಕ್ಕಳಿಗೂ ನಿಶ್ಚಿತಾರ್ಥವಿಲ್ಲದ ಕನ್ಯೆಯರಾದ ಪುತ್ರಿಕೆಯರಿಗೂ ಸಮವಾಗಿ ಸೇರುವದು. ಇವರಲ್ಲಿ ಒಬ್ಬರು ಇಲ್ಲದಪಕ್ಷಕ್ಕೆ ಮತ್ತೊಬ್ಬರನ್ನು ಹೊಂದುವದು. ಅವರು ಇಲ್ಲದಪಕ್ಷದಲ್ಲಿ ಮಕ್ಕಳಿರುವ ವಿವಾಹಿತೆಯಾಗಲಿ ಪುತ್ರವತಿಯಾಗತಕ್ಕವಳಾಗಲಿ ಸೇರುವದು. ತರುವಾಯ ಅವಳ ಮಗನಮಗನಿಗೆ ಸೇರುವದು. ತರುವಾಯ ಅವಳ ಮಗಳಮಗನಿಗೆ ಸೇರುವದು. ತರುವಾಯ ಬಂಜೆಯರಾದ ಹೆಣ್ಣುಮಕ್ಕಳಿಗೂ ವಿತಂತುಗಳಾದ ಪುತ್ರಿಕೆಯರಿಗೂ ಸೇರುವದು. (ದಾಯಭಾಗ ೪.

to the daughter; and not to her heirs (Daya Bhaga XI. i. 56, 57). Opposed to Mitacshara II. xi. 9, 13, according to which there is no distinction as to descent of woman's property, and of whatsoever sort it may be it goes to daughters, (the unmarried taking before the married, and the and the unendowed before the endowed); daughter's daughter's; daughter's sons; sons; and son's sons.

Descent on failure of relatives.

369. In default of the fellow student the property goes to those of the same family name (*Gotra*); then to descendants from the same patriarch; and then to priests and Brahmins of the same village. Afterwards, (saving as to Brahmins,) it escheats (Daya Bhaga XI. vi. 25—27). Opposed to Mitacshara II. vii. 3—6, according to which after the fellow student it goes in the case of Brahmins only to fellow Brahmins, and in the case of other castes escheates.

೨. ೯, ೧೧, ೧೨) ಆದರೆ ಗಂಡನ ದ್ರವ್ಯವು ಸ್ತ್ರೀಗೆ ಬಂದ ಪಕ್ಷಕ್ಕೆ ಆ ದ್ರವ್ಯವು ತರುವಾಯ ಅವನ ವಾರಸ್ದಾರರಿಗೆ ಸೇರುವದು. ಅದರಲ್ಲಿ ಮುಂದಾಗಿ ಹೆಂಣುಮಕ್ಕಳಿಗೆ ಸೇರುವದು. ಈ ದ್ರವ್ಯವು ಅವಳ ಸ್ವಂತದ್ರವ್ಯವನ್ನು ಹೊಂದುವ ಅವಳ ದಾಯಾದಿಗಳಿಗೆ ಸೇರಲಾರದು. (ದಾಯಭಾಗ ೧೧. ೧. ೫೬, ೫೭) ಇದು ಮಿತಾಕ್ಷರದಲ್ಲಿ ೨. ೧೧. ೯, ೧೨ಕ್ಕೆ ವಿರುದ್ಧವು. ಯಾವಬಗೆಯಿಂದ ಬಂದದ್ದಾಗಲಿ ಸ್ತ್ರೀಧನವು ಹೆಂಣುಮಕ್ಕಳಿಗೆ ಸೇರುವದೆಂತಲೂ, ಆ ಸ್ತ್ರೀಗೆ ಮದುವೆಯಾದವಳಿಗಿಂತ ಮುಂದೆ ಮದುವೆಯಿಲ್ಲದವಳಿಗೂ, ದ್ರವ್ಯವುಳ್ಳವಳಿಗಿಂತ ಮುಂದೆ ನಿರ್ಧನೆಗೂ ಸೇರುವದೆಂತಲೂ, ಯಿವರಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಮಗಳ ಹೆಂಣುಮಕ್ಕಳಿಗೂ ಮಗಳಮಕ್ಕಳಿಗೂ ಸೇರುವದೆಂತಲೂ, ಇವರು ಯಿಲ್ಲದ ಪಕ್ಷಕ್ಕೆ ಪುತ್ರರಿಗೂ ಪೌತ್ರರಿಗೂ ಸೇರುವದೆಂತಲೂ ಮಿತಾಕ್ಷರದಲ್ಲಿ ಹೇಳಲ್ಪಟ್ಟಿದೆಯಲ್ಲದೆ ಮೇಲೆ ತಿಳಿಸಲ್ಪಟ್ಟ ಭೇದ ಕಾಣಲಿಲ್ಲವು.

೨೬೯. ಸಕೋಥಲ್ಯನು (ಅಂದರೆ ಸಹಪಾಠಿ) ಯಿಲ್ಲದಪಕ್ಷಕ್ಕೆ ಸ್ವತ್ತು ಸಗೋತ್ರನಿಗೆ ಸೇರುವದು. ಅವನಿಲ್ಲವಾದರೆ ಸಮಾನಪ್ರವರನಿಗೆ ಸೇರುವದು. ಅವನಿಲ್ಲದಿದ್ದರೆ ಗುರುಗಳಿಗೂ ಸಮಾನಗ್ರಾಮವಾಸಿಗಳಾದ ಬ್ರಾಹ್ಮಣರಿಗೂ ಸೇರುವದು. ಅವರಿಲ್ಲದ ಪಕ್ಷಕ್ಕೆ ಬ್ರಾಹ್ಮಣರಲ್ಲದವರ ಸ್ವತ್ತು ಅರಸರಿಗೆ ಸಲ್ಲುವದು. (ದಾಯಭಾಗ ೧೧. ೬. ೨೫—೨೭) ಇದು ಸಕೋಥಲ್ಯನು ಯಿಲ್ಲದಪಕ್ಷದಲ್ಲಿ ಬ್ರಾಹ್ಮಣದ್ರವ್ಯವು ಬ್ರಾಹ್ಮಣರಿಗೇ ಸೇರುವದೆಂತಲೂ ಯಿತರ ವರ್ಣದವರ ದ್ರವ್ಯವು ಅರಸನಿಗೆ ಸೇರುವದೆಂತಲೂ ಹೇಳಿದ ಮಿತಾಕ್ಷರದೊಳಗೆ ೨. ೭. ೨—೬ಕ್ಕೆ ವಿರುದ್ಧವಾಗಿರುವದು.

ಬಂಧುಗಳಿಲ್ಲ. ದಿದ್ದರೆ ಸ್ವತ್ತು ಸೇರುವಕ್ರಮ

CHAP. XIII.

MALABAR LAW.

Descent in female line.

370. In the province of Malabar, among the great body of its inhabitants, a different rule of descent prevails from what exists in the other Districts of the Presidency, Canara excepted. The inheritance runs in the female, not in the male line. A man's sons are not in the list of his heirs. His property goes to his sisters; sister's sons; sister's daughters; sister's daughter's sons and daughters; mother; mother's sisters; their children; and to his maternal grand mother; her sisters; and their children. Failing these and their stock in the same way of descent, it goes, as in the other parts of the presidency, to the man's disciple, and fellow student; and then escheats.

Origin of rule.

371. This rule of descent is termed *Maroomakatayam*, or Nepotism in the female line. The origin thereof is conceived to have been thus. It is alleged that Parasooramen, the first King of Malabar, introduced Brahmins into the district, and gave them possessions therein, and to prevent these properties from being split up, decreed that they should vest in the elder brothers, whom alone he permitted to contract marriage. The sons of these were to be accounted as sons for the whole family. The junior brothers being without

೧೩. ಪ್ರಕರಣ.

ಮಳಯಾಳ ದೇಶದ ಶಾಸ್ತ್ರ.

ಸ್ತ್ರೀಪರಂಪರೆಯ ದಾಯಾಧಿಕಾರ.

೩೭೦. ಮಳಯಾಳ ದೇಶದ ಜನರಲ್ಲಿ ದಾಯಾದ ಪರಂಪರೆಗೆ ಕನರಾದೇಶ ವಿನಾ ಈ ರಾಜಧಾನಿಗೆ ಸೇರಿದ ಇತರದೇಶಗಳಿಗಿಂತಾ ಬೇರೇಯಾಗಿ ನಿಯಮ ಏರ್ಪಟ್ಟಿರುತದೆ. ದಾಯಾಧಿಕಾರವು ಸ್ತ್ರೀ ಪರಂಪರೆಯವರದೇ ಶಿವಾಯಿ ಪುರುಷ ಪರಂಪರೆ ಯವರದಲ್ಲ. ಒಬ್ಬ ಪುರುಷನ ಪುತ್ರರು ಅವನ ವಾರಸ್ದಾರರ ಪರಂಪರೆಯೊಳಗಣವರಲ್ಲವು. ಪುರುಷನ ಸ್ವತ್ತು ಅವನ ಅಕ್ಕ ತಂಗೀರಿಗೂ ಅಕ್ಕತಂಗಿಯರ ಗಂಡುಮಕ್ಕಳಿಗೂ ಹೆಂಣುಮಕ್ಕಳಿಗೂ ಅಕ್ಕತಂಗಿಯರ ದೌಹಿತ್ರರಿಗೂ ದೌಹಿತ್ರೆಯರಿಗೂ, ತಾಯಿಗೂ, ತಾಯಿಯ ಅಕ್ಕತಂಗಿಯರಿಗೂ, ಅವರ ಮಕ್ಕಳಿಗೂ, ಮತ್ತು ಅವನ ತಾಯಿಯ ತಾಯಿಗೂ, ಅವಳ ಅಕ್ಕತಂಗಿಯರಿಗೂ, ಅವರ ಮಕ್ಕಳಿಗೂ ಸೇರುವದು ಇಂತಾ ದಾಯಾದ ಪರಂಪರೆ ಇಲ್ಲದ ಪಕ್ಷಕ್ಕೆ ಈ ರಾಜಧಾನಿಗೆ ಸೇರಿದ ದೇಶಗಳಂತೆ ಪುರುಷನ ಶಿಷ್ಯನಿಗೂ, ಸತೀರ್ಥ್ಯನಿಗೂ, ತರುವಾಯ ಸರಕಾರಕ್ಕೂ ಕ್ರಮವಾಗಿ ಸಲ್ಲುವದು.

ಈ ನಿಯಮಕ್ಕೆ ಮೂಲ.

೩೭೧. ಈ ನಿಬಂಧನೆಗೆ ಮರುಮಕ್ಕದಾಯವೆಂದು ಹೆಸರು. ಇದಕ್ಕೆ ಮೂಲವೇನಂದರೆ—ಮಳಯಾಳ ದೇಶಕ್ಕೆ ಮೊದಲನೇ ಅರಸಾದ ಪರಶುರಾಮರು ಆ ದೇಶದಲ್ಲಿ ಬ್ರಾಹ್ಮಣರನ್ನು ತಂದು ಸೇರಿಸಿ ಅವರಿಗೆ ವೃತ್ತಿಗಳನ್ನು ಏರ್ಪಡಿಸಿ ಅವು ವಿಭಾಗಗಳಾಗಿ ಕೆಡದೆ ಇರತಕ್ಕಬಗ್ಗೆ ಜ್ಯೇಷ್ಠಪುತ್ರರೇ ಆ ವೃತ್ತಿಗಳನ್ನು ಹೊಂದತಕ್ಕದ್ದೆಂತಲೂ ಅವರುಮಾತ್ರ ವಿವಾಹ ಮಾಡಿಕೊಳ್ಳತಕ್ಕದ್ದೆಂತಲೂ ನಿಯಮ ಏರ್ಪಡಿಸಿದರೆಂದು ಹೇ

wives were allowed to consort with females of lower castes. The offspring of these unions not being legitimate could not take rank as Brahmins, or inherit from their fathers. Their inheritance was hence made to follow from their mothers. The lower castes fell into the same steysm of promiscuous intercourse among themselves. With them the females before attaining maturity go through a form of marriage, the bridegroom not necessarily taking the position of husband. After maturity they may consort with whom they please, and with as many as they please, provided that the connexion be with members of their own or some higher caste. The offspring succeed to the estate in the mother's family, it being obvious that parentage cannot be traced out in the line of the male.

The classes governed thereby.

372. The castes that follow this rule of *Maroomakatayam* are all excepting Brahmins and Aka Podwals, a class of Pagoda servants, the artisans, namely carpenters, brass-smiths, black-smiths and gold-smiths, and some of the lowest denominations, such as the Cheromars, or slave tribe, the Malayers and the Paniars, with whom the rule of descent is to sons. The Teears, or

ఘుత్తారె. ఇవర పుత్రరు కుటుంబదవరెల్లరిగూ సంతతియ వరెందు భావిసల్పడువరు. తమ్మందరిగె హెండతియరు యిల్లద్దరింద కడమెజాతి స్త్రీయరొడనె సంసర్గమాడువదక్కె అప్పణె వుంటాగిదె. యీగె సంసర్గ మాడోణవరింద వుంటాద సంతతియవరు మదువెయాదవనిగె హుట్టిదవరల్లవాద్దరింద యివరిగె బ్రాహ్మణ్యవూ తందెయస్వత్తన్ను హొందువ అధికారవూ యిల్లదె హోయితు. ఇదరిందలే యివరిగె తాయియస్వత్తేబరువదు. కడమెజాతియవరు తమ్మొళగె తావు యింతా సంకీర్ణ సంసర్గద నియమక్కె ఒళపట్టరు. ఇవరల్లి మ్యనెతియదే యిరువ హెంగుసరిగె ఒందుబగె మదువె వుంటు. ఆదరె వరనిగె నియతరాగి భర్తృత్వాధికారవిల్ల. మ్యనెరద తరువాయ స్త్రీయరు తావు యిష్టబందంతె యిష్టజనరొందిగాగలి సంసర్గ మాడబహుదు యింతా సంసర్గవు తమ్మ సరిజాతియవరొందిగాగలి, వుత్తమజాతియవరొందిగాగలి మాడతక్కద్దు. ఈ సంసర్గదెసెయింద హుట్టిద సంతతియవరిగె తందె ఫలానే జాతియవనెందు గొత్తాగదే యిరువదరింద తాయిగళ స్వత్తినల్లియే సంమంధ వుంటాగువదు.

౬౭౨. మరుమక్కదాయద నిబంధనెయన్ను యెల్లజాతియవరూ ఆచరిసువరు బ్రాహ్మణరిగూ దేవస్థానద నౌకరీ మాడువ అంబ్లావసివాళరెంబవరిగూ, బడిగెయవరు, కంచుగారరు, కమ్మారరు, అక్కసాలిగరు యివరుగళిగూ చరుమరు, మలయరు, పాణరు ముంతాద హీనజాతియవరిగూ మాత్ర ఆ నియమవిల్లవు. ఇవరు పురుష పరంపరెయొళగె దాయద భాధ్యతె వుళ్ళవరు. ఉత్తరమళయాళసీమెయ

ఆ నియమక్కె ఒళపట్టజాతిగళు.

toddy drawers, and the Mookwas, or fishermen, of North Malabar follow *Maroomakatayam*, while those to the South observe *Makkatayam*, or descent to sons. In North Malabar most of the Moplas, although Mahomedans, follow also the rule of *Maroomakatayam*, in this respect having conformed to Hindoo usage in the times of the ascendancy of the Hindoos.

United families.

373. The adherents to *Maroomakatayam* form united family communities termed *Tarwaads*. The remotest member is acknowledged as one of the family if living under subordination to the head of the family and taking part in their religious observances. The senior male of whatsoever branch is the head of the family and is termed *Karnaven*. The other members are termed *Anandravers*.

Succession as *Karnaven*.

374. The position of *Karnaven* belongs to the senior relative of the deceased *Karnaven*, and not to the nearest in blood to the deceased. For example, a mother's sister's daughter's son being the senior is preferred to a mother's sister's son (Decree of Sub. Conrt of Calicut in Appeal No. 39 of 1843). He would be so also to a sister's son who is the nearest in descent.

ల్లి కేయరుయింబ యీడిగరూ, ముక్కువరెంబ బెస్తరూ, మరుమక్కదాయవన్ను ఆచరిసతక్కవరు. అల్లిగె దక్షిణ ప్రాంతదవరు మక్కదాయ నియమవుళ్ళవరు. మక్కదాయవెందరె పురుష పరంపరెయొళగె దాయద అధికార. ఉత్తరమళయాళదల్లి బరుతరవాగి మాపళా జాతియవరెల్లరూ తురుకరాదాగ్యూ అవరుకూడ మరుమక్కదాయ నియమవన్నాచరిసుత్తారె. యీ ఎందూ ఆచారవు ఎందు గళ రాజ్యతారదల్లి యివరిగె వుంటాయితు.

౩౭౩. మరుమక్కదాయవన్నాచరిసతక్క కుటుంబగళు అనేక సేరి ఒందు కుటుంబవాగిరువదు. యీ కుటుంబ తరవాడియెందు కరెయల్పడువదు. దూరస్థను కూడ ఆ కుటుంబద ముఖ్యనిగె ఒళపట్టు ఆ కుటుంబద వశోడనె సేరి కర్మగళన్ను మాడువాతను ఆ కుటుంబదొళగణవనెందు యెణిసల్పడువను. యావ వంశద శాఖిగె సేరిదవనాగలి వయస్సు మీరిదవను కుటుంబక్క జ్యేష్ఠను. ఇవను కారనవనెన్నల్పడువను. కుటుంబదల్లి మిక్కవరు అనంతరవరెన్నల్పడువరు. కుటుంబగళ సంఘ.

౩౭౪. గతిసిద కారనవన అధికారవు అవన తరవాడియవర బంధుగళల్లి వయస్సు మీరిదవనిగె బరువదే హొరతు సమీప బంధుగళిగె బారదు. ఇదక్కె ఉదాహరణ—తాయియ అక్కతంగియర మగనిగింత జ్యేష్ఠనాద తాయియఅక్కతంగియర దౌహిత్రను ముందాగి దాయాధికారవన్ను హొందువను. (కల్లికోట సబ్ కోర్టిన ౧౮౬౩ అ. నం. ౩౯౭రల్లు ఫైసల్). తన్న అక్కతంగియర మగను తాయియ అక్కతంగియర మగనిగింత సమీపబంధువాదాగ్యూ అవనిగె బరలారదు. కారణవనన అధికార స్థితి.

Division can not be claimed.

375. The head of the family has entire control over the concerns and property of the family, to which he has to administer for the good of the whole. The unity of the family may not be broken up by any member claiming his share and forcing on a division; or incurring debt and charging this on the property (Decree of S. U. in appeal No. 28 of 1814; of late Zillah Court of Malabar in S. A. No. 1 of 1842; of Civil Court of Calicut in appeal No. 36 of 1848; Pro; of S. U. 13th February 1854).

It may occur by consent.

376. Division, if to be made, cannot be effected through process of law, or at the demand of a creditor. The members of a family may however by mutual consent come to a division among themselves, and the Courts would uphold such division. In the event of an individual being wronged on such division taking place the Courts would furthermore doubtless give a remady.

377. The basis of such a division would be according to the *Taveries*, or branches of the family. That is the property would be divided primarily according to the number of the sisters of the common ancestor, these giving rise to the branches, and afterwards among their progeny.

The basis of division.

378. The *Karnaven* can alienate all moveable property, ancestral or self acquired, at his discretion. But as to immoveble property, whether self acquired or ancestral, he must have the written assent of the chief *Anandravers*, (Decree of late Pro. Court Western Division in appeal

౩౭౫. కుటుంబ జ్యేష్ఠనిగె కుటుంబ కార్యగళల్లి భాగకేళ కూడదు.
యా కుటుంబద స్వత్తినొళగూ సర్వాధికార వుంటు.
యెల్లరమేలిగోస్కరవాగ అవను కెలస నోడతక్కద్దు. కు
టుంబదల్లి యావవాగలి తన్న భాగకోస్కర వివాద
పట్టి భాగ కొడబేకెందు బలాత్కరిసోణదరిందాగలి
తాను సాలమాడి ఆ సాలక్కదన్ను యాదుమాడోణద
రిందాగలి కుటుంబద సేరికె మురిదు హోగలారదు. (స.
అ. ౧౮౫౯. అ. నం. ౨౫గల్లు స్పెసల్. మళయాళ జి.
కో. ౧౮౫౭. స్పెషల్. అ. నం ౧౭ల్లు స్పెసల్. తల్లి
కోట సి. కో. ౧౮౫౮ అ. నం. ౩౬గల్లు తీర్పు; స.
అ. ప్రొ. ౧౮౫౭ ఫిబ్రవరి ౧౩).

౩౭౬. న్యాయస్థానదల్లి దావే తరోణదరిందాగలి సమ్మతియింద విభాగ వుంటాగబహుదు.
సాలకొట్టవను వ్యాజ్య మాడోణదరిందాగలి విభాగ
వుంటాగలారదాదాగ్యూ కుటుంబదొళగణ పరస్పర అను
మతియింద భాగ మాడికొళ్ళబహుదు. ఆ భాగవన్ను
కోరటినవరు ఒప్పికొళ్ళువరు. అంతా విభాగ వి
షయదల్లి ఒబ్బనిగె హాని బరువ పక్షక్కె అవన్ను కో
టినవరు నిస్సందేహవాగి పరిహార మాడువరు.

౩౭౭. అంతా విభాగవు తావళీగళెంబ కుటుంబ శా విభాగక్కె కారణ.
ఖెగళ ప్రకార కుటుంబ మూలపురుషన అక్కతంగియర సం
తతిగె తక్కంతె మొదలు విభాగ యేర్పడతక్కద్దు. యివ
రిగె బంద విభాగవు కుటుంబశాఖీయవరిగె బందు తరువా
య అవర సంతతియవరిగె బరువదు.

౩౭౮. కారనవను తన్న పూర్వికరదాగలి స్వార్జిత కారనవను వినియోగాధికార.
తవాగలి జంగమస్వత్తన్ను తన్న యిష్టానుసార వినియో
గిసికొళ్ళబహుదు. పూర్వార్జితవాగలి స్వార్జితవా
గలి స్థావరస్వత్తన్ను వినియోగిసువపక్షక్కె అనంతరవర

Division can not be claimed.

375. The head of the family has entire control over the concerns and property of the family, to which he has to administer for the good of the whole. The unity of the family may not be broken up by any member claiming his share and forcing on a division; or incurring debt and charging this on the property (Decree of S. U. in appeal No. 28 of 1814; of late Zillah Court of Malabar in S. A. No. I of 1842; of Civil Court of Calicut in appeal No. 36 of 1848; Pro; of S. U. 13th February 1854).

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೩೭೫. ಕುಟುಂಬ ಜ್ಯೇಷ್ಠನಿಗೆ ಕುಟುಂಬ ಕಾರ್ಯಗಳಲ್ಲಿಯೂ ಕುಟುಂಬದ ಸ್ವತ್ತಿನೊಳಗೂ ಸರ್ವಾಧಿಕಾರ ವುಂಟು. ಯೆಲ್ಲರಮೇಲಿಗೋಸ್ಕರ ಅವನು ಕೆಲಸ ನೋಡತಕ್ಕದ್ದು. ಕುಟುಂಬದಲ್ಲಿ ಯಾವದಾಗಲಿ ತನ್ನ ಭಾಗಕ್ಕೋಸ್ಕರ ವಿವಾದ ಪಟ್ಟು ಭಾಗ ಕೊಡಬೇಕೆಂದು ಬಲಾತ್ಕರಿಸೋಣದರಿಂದಾಗಲಿ ತಾನು ಸಾಲಮಾಡಿ ಆ ಸಾಲಕ್ಕದನ್ನು ಯಾದುಮಾಡೋಣದರಿಂದಾಗಲಿ ಕುಟುಂಬದ ಸೇರಿಕೆ ಮುರಿದು ಹೋಗಲಾರದು. (ಸ. ಅ. ೧೮೧೪. ಅ. ನಂ. ೨೮ಗಲ್ಲು ಫೈಸಲ್. ಮಳಯಾಳ ಜಿ. ಕೊ. ೧೮೪೩. ಸ್ಪೆಷಲ್. ಅ. ನಂ ೧೪ಲ್ಲು ಫೈಸಲ್. ಕಲ್ಲಿಕೋಟ ಸಿ. ಕೊ. ೧೮೪೮ ಅ. ನಂ. ೩೬೧ಲ್ಲು ತೀರ್ಪು; ಸ. ಅ. ಪ್ರೊ. ೧೮೫೪ ಫಿಬ್ರವರಿ ೧೩).

ಭಾಗಕ್ಕೇಳ ಕೂಡದು.

೩೭೬. ನ್ಯಾಯಸ್ಥಾನದಲ್ಲಿ ದಾವೇ ತರೋಣದರಿಂದಾಗಲಿ ಸಾಲಕೊಟ್ಟವನು ವ್ಯಾಜ್ಯ ಮಾಡೋಣದರಿಂದಾಗಲಿ ವಿಭಾಗ ವುಂಟಾಗಲಾರದಾದಾಗ್ಯೂ ಕುಟುಂಬದೊಳಗಣ ಪರಸ್ಪರ ಅನುಮತಿಯಿಂದ ಭಾಗ ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಆ ಭಾಗವನ್ನು ಕೋರಟಿನವರು ಒಪ್ಪಿಕೊಳ್ಳುವರು. ಅಂತಾ ವಿಭಾಗ ವಿಷಯದಲ್ಲಿ ಒಬ್ಬನಿಗೆ ಹಾನಿ ಬರುವ ಪಕ್ಷಕ್ಕೆ ಅದನ್ನು ಕೋರ್ಟಿನವರು ನಿಸ್ಸಂದೇಹವಾಗಿ ಪರಿಹಾರ ಮಾಡುವರು.

ಸಮ್ಮತಿಯಿಂದ ವಿಭಾಗ ವುಂಟಾಗಬಹುದು.

೩೭೭. ಅಂತಾ ವಿಭಾಗವು ತಾವಳಿಗಳೆಂಬ ಕುಟುಂಬ ಶಾಖೆಗಳ ಪ್ರಕಾರ ಕುಟುಂಬ ಮೂಲಪುರುಷನ ಅಕ್ಕತಂಗಿಯರ ಸಂಖ್ಯೆಗೆ ತಕ್ಕಂತೆ ಮೊದಲು ವಿಭಾಗ ಯೇರ್ಪಡತಕ್ಕದ್ದು. ಯಿವರಿಗೆ ಬಂದ ವಿಭಾಗವು ಕುಟುಂಬಶಾಖೆಯವರಿಗೆ ಬಂದು ತರುವಾಯ ಅವರ ಸಂತತಿಯವರಿಗೆ ಬರುವದು.

ವಿಭಾಗಕ್ಕೆ ಕಾರಣ.

೩೭೮. ಕಾರನವನು ತನ್ನ ಪೂರ್ವಿಕರದಾಗಲಿ ಸ್ವಾರ್ಜಿತವಾಗಲಿ ಜಂಗಮಸ್ವತ್ತನ್ನು ತನ್ನ ಯಿಷ್ಟಾನುಸಾರ ವಿನಿಯೋಗಿಸಿಕೊಳ್ಳಬಹುದು. ಪೂರ್ವಾರ್ಜಿತವಾಗಲಿ ಸ್ವಾರ್ಜಿತವಾಗಲಿ ಸ್ಥಾವರಸ್ವತ್ತನ್ನು ವಿನಿಯೋಗಿಸುವಪಕ್ಷಕ್ಕೆ ಅನಂತರವರ

ಕಾರನವನ ವಿನಿಯೋಗಾಧಿಕಾರ.